

1 BEFORE THE ORANGE TOWNSHIP
2 BOARD OF ZONING APPEALS
3 - - -
4 :
5 In the Matter of: :
6 Public Hearing - :
7 Conditional Use :
8 Applications, :
9 Variance Applications. :
10 - - -
11 PROCEEDINGS
12 before Members of the Orange Township Board of
13 Zoning Members; Chairman Kelvin Trefz,
14 Vice-Chair Sue D. Ross, Stacey Neff, Joe Pax
15 and Nikolas McCoy, held at Orange Township
16 Hall, Moffett Room, 1680 East Orange Road,
17 Lewis Center, Ohio, called at 6:00 p.m. on
18 Thursday, May 15, 2025.
19
20 Also Present:
21 Eric Gayetsky, Senior Zoning Officer,
22 Robin Duffee, Director of Development and
23 Zoning
24 Julie Donnan, Townshp Legal Council
 - - -

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2 P R O C E E D I N G S

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4 MR. Trefz: All right. I'll call
5 the meeting to order. Roll call.

6 MR. GAYETSKY: Mr. Trefz.

7 MR. TREFZ: Here.

8 MR. GAYETSKY: Ms. Ross.

9 VICE-CHAIR ROSS: Here.

10 MR. GAYETSKY: Mr. Pax.

11 MR. PAX: Here.

12 MR. GAYETSKY: Ms. Neff.

13 MS. NEFF: Here.

14 MR. GAYETSKY: Mr. McCoy.

15 MR. MCCOY: Here.

16 MR. GAYETSKY: We have a quorum.

17 MR. TREFZ: Anyone who intends to testify,
18 please raise your right hand and be sworn.

19 Do you solemnly swear that the
20 testimony you shall give shall be the truth,
21 the whole truth and nothing but the truth; if
22 so, state "I do". And then when you come up
23 and you're trying to offer testimony, please
24 state your full name, address, and affirm that

1 you've been sworn.

2 WITNESSES: "I do."

3 MR. GAYETSKY: Good evening,

4 Members of the Board of Zoning Appeals.

5 Tonight we have one item of Old Business.

6 That's the first item on our Agenda. And then

7 secondly, the Old Business pertains to

8 McDonald's and a new monument style sign.

9 Then we have a second case, a New Business

10 item. So that case is another -- I should

11 say, this is a residential request that's

12 similar to one we had in the past for a

13 setback encroachment for a new residence.

14 So without further ado, I'll move

15 along into our Old Business Item over at

16 McDonald's. I'll begin with the Staff Report.

17 So this application is a

18 continuation of VA-CU-2504. This application

19 is for the site at 6691 Artesian Run for the

20 current, existing McDonald's location.

21 McDonald's lot size is 2.35 acres. The Zoning

22 District is Planned Commercial and Office

23 District.

24 So the applicant -- I'll get to

1 the request as I go through the summary. The
2 applicant is requesting two area variances,
3 one from Rezoning Case No. 18517 Olentangy
4 Crossing South to allow for a monument sign
5 along U.S. 23 where it is prohibited, and one
6 from Section 22.05(b) of the Orange Township
7 Zoning Resolution to allow for an electronic
8 message center sign type.

9 The applicant submitted revised
10 materials to the Zoning Department on May 8th,
11 2025, requesting a two-faced monument sign
12 with dimensions with 6 feet tall by 10.25 feet
13 wide overall, and 48 inches by 123 inches or
14 41 square feet total sign display area. This
15 includes an electronic message center (EMC)
16 cabinet with dimensions 4 feet tall by 6 feet
17 tall, or 24 square feet. The sign presented
18 in last month's application was 6.67 feet tall
19 by 8.29 feet wide overall, and 56 inches by
20 99.5 inches, or 38.7 square feet total sign
21 display area. That sign included an EMC
22 cabinet that was 3 feet tall by 8.29 feet
23 wide, or 24.87 square feet for the EMC.

24 The sign will be set back 58 feet

1 11 inches from the right-of-way edge of U.S.
2 23 (Columbus Pike).

3 In addition, the applicant is
4 seeking Conditional Use from the Orange
5 Township Zoning Resolution to allow for a
6 proposed monument sign.

7 Just as a refresher on the site
8 history, the property owner had requested a
9 standard non-EMC monument sign, which was 8
10 feet tall by 6 feet 3 inches wide as roughly
11 the same location along Columbus Pike as the
12 one currently being proposed, which was first
13 heard by BZA November 16th, 2023, their
14 Variance and Conditional Use Case VA-CU-23-24.
15 BZA approved the continuance for that
16 application, which included the monument sign,
17 and other variances to the December BZA
18 hearing that year, and the application was
19 withdrawn prior to the meeting.

20 The subject site is located at
21 6691 Artesian Run, which is located on the
22 west side of Columbus Pike and the north side
23 of Pointe Bluff Drive. The site is currently
24 owned by the McDonald's Corporation.

1 For the surrounding area, we have
2 Planned Commercial Office District zoning to
3 the north, the land use is a gas station and
4 inconvenience store. To the south the zoning
5 is Farm Residential District, and land use
6 includes All Shepherds Lutheran Church. To
7 the east the zoning district is Planned
8 Commercial and Office District, and land uses
9 include Olentangy Crossing Shopping Center and
10 Panda Express Restaurant. And to the west is
11 Single Family Planned Residential District
12 with the land use as being the Olentangy
13 Crossings Subdivision.

14 This is from the Auditor's site.
15 This is just preceding the construction
16 occurring, but there is a McDonald's
17 Restaurant. And I did include the previous
18 site plan for you to refer upcoming. This is
19 the zoomed-out view. You see that location
20 just south of the intersection of what is
21 Lewis Center Road and U.S. 23 to the north.
22 U.S. 23 is along the east boundary, and then
23 just south of the, I believe it's Friendship
24 Kitchen Convenience Store and Gas Station.

1 All right. So for Exhibit 1, the
2 currently proposed monument sign with
3 dimensions. This includes an EMC display
4 area, as well as a standard monument sign
5 display area. The EMC is on the right and the
6 standard display on the left with McDonald's
7 logo. This is all set atop a solid stone
8 base. I wanted to put these next to each
9 other, above and below each other, rather.
10 And on the second Exhibit, I wanted to show what
11 the dimensions are with the comparison.

12 So this newly proposed sign has a
13 smaller area for the EMC being proposed, and
14 it would appear a slightly different type of
15 EMC. It is a wider overall sign display area,
16 but also not as tall overall. So there are a
17 couple changes, and the applicant, I believe,
18 is here to clarify and go into further detail
19 about the changes.

20 Okay. Along to the Area Variance
21 being requested from Rezoning Case 18517
22 Section 14.07(n), that states the following:
23 No ground monument signs will be permitted
24 along U.S. Route 23.

1 So the monument EMC sign is
2 proposed to be constructed 58 feet from the
3 right-of-way of Columbus Pike and having a
4 display area of approximately 38.7 square feet
5 per side. A monument sign at the setback of
6 58 feet is allowed to have a display area of
7 64 square feet per side for a total of 128
8 square feet; therefore the monument sign meets
9 the allowable area per the Code requirement.

10 Another Area Variance is from
11 Section 22.05(b) which states the following:
12 Signs not specifically authorized by this
13 Resolution.

14 The monument EMC sign is not a
15 specifically authorized sign type by the
16 Zoning Resolution; therefore, a variance is
17 required for the EMC to be permitted.

18 Moving on to the next Exhibit.
19 This is for general reference purposes,
20 restaurant site layout. This does not include
21 the proposed location of the sign. However, I
22 can state it is just to the east, just beyond
23 the parking lot, the row of parking spaces on
24 the eastern boundary of the parking area.

1 All right. Moving along to our
2 Conditional Use Criteria. So from 22.04,
3 Conditionally Permitted Signs. I won't read
4 through all of this text, but essentially,
5 this is confirming that this is a monument
6 style sign. The applicant is proposing the
7 construction of a monument sign, and
8 conditional use authorization is needed for a
9 monument sign.

10 Below in Exhibit 4, the applicant
11 provided a diagram, or a site plan showing the
12 proposed location. We did measure it with our
13 software to scale, which shows that it's 58
14 feet and 11 inches set back from the edge of
15 the right-of-way of Columbus Pike.

16 All right. The next page for
17 Exhibit No. 5. This is taken from the
18 Rezoning Case 18517 Olentangy Crossing South
19 from the Development Plan, just for your
20 general reference purposes. And you can see
21 that Planned Office and Commercial District
22 Area is the eastern most portion of the
23 Development Plan area.

24 The next Exhibit is from the

1 Rezoning Text, and that is specifically
2 Section 14.07(n) for Signage; for signs
3 identifying or advertising uses within this
4 district shall be in strict compliance with
5 the regulations imposed by Article XXII of
6 this Resolution. The proposed Planned
7 Commercial and Office District will meet this
8 requirement, as it states in the development
9 plan. Plans for entry features and associated
10 signage shall be spent at appropriate time to
11 the Orange Township Board of Zoning Appeals
12 for approval. The entry feature -- and let me
13 skip down.

14 Any entry feature height
15 requirement shall be the same as the maximum
16 height permitted for a ground sign. No ground
17 signs will be permitted along commercial lots
18 adjacent to the U.S. 23 corridor. Building
19 mounted sign shall be permitted.

20 So, once again, this is a variance
21 from the restriction on any type of ground
22 signs in this development being along U.S. 23.

23 The last thing here is the Board
24 Analysis, Criteria for Consideration from

1 Section 28.06(c), and prospective Motions, and
2 then also the Conditional Use Criteria from
3 Section 13.04(b). Just let me know if you
4 have any questions.

5 CHAIRMAN TREFZ: Questions from
6 the Board? The applicant is here?

7 MR. GAYETSKY: Yes.

8 CHAIRMAN TREFZ: Please state your
9 name and that you've been sworn.

10 MR. MCFARLAND: Jim McFarland and
11 I was sworn in. Thank you for your
12 consideration, again, of the request for a
13 monument sign. Again, and I just wanted to
14 thank you for -- the work we do is a difficult
15 task, and appreciate the effort you have to
16 consider all the factors with this proposal.

17 The fundamental difference between
18 what this graphic is compared to the one
19 before -- Sue made some great points last
20 time, as well as some community members that
21 we're trying not to get too into the D word.
22 I won't even say the word because there's so
23 much concern about changing the character of
24 the area, and I think it's important that we

1 make the signs as traditional and conservative
2 as we can, but yet effective so that
3 McDonald's can be competitive in its market.
4 As I mentioned before, the sales for the store
5 are almost little over 20 percent below
6 projections. And we do believe that having
7 additional exposure along 23 is going to help
8 that significantly.

9 This particular unit is called a
10 LED Automatic Changeable Copy Sign. And just
11 to clarify, the main difference is there will
12 not be any graphics on this, so there won't be
13 any pictures or images. This will be text and
14 numbers only. And the other big difference is
15 the actual area of the copy that had been
16 changed is about 24 square feet, or 58 percent
17 of the 41 square feet proposed.

18 McDonald's opted not to maximize
19 what they could have requested in terms of the
20 64, but wanted to be even more conservative.
21 So the red box and the yellow M and the white
22 McDonald's will be fairly much permanent. And
23 the only copy that will be changing is an LED
24 monochromatic. In this case it looks a little

1 orange, which is the way the bulbs appear.
2 And so that's 24 square feet of what's
3 actually -- the messages that will be changing
4 for the graphic. And the illumination can be
5 controlled. The brightness can be controlled
6 throughout the day. The CTR, or the click
7 through rate, can also be controlled, so if
8 you would like to regulate the frequency, the
9 message needs changed, we'd be happy to
10 consider that.

11 We've also got another feature
12 that's called Ignite OPS EAS, which is
13 emergency system. This is the alerts that
14 you've mentioned before. It's having for
15 community issues, Amber Alerts, things of that
16 nature, and also be displayed on the board,
17 so.

18 The board below is not what's
19 going to be -- what we're requesting now is
20 the first image on the block. It is slightly
21 shorter which we proposed, and we wanted to
22 set back to align with what the church has so
23 that it looks continuous along the road. And
24 we think it's very appropriate for this, and

1 we welcome your consideration.

2 CHAIRMAN TREFZ: Thank you.

3 Questions?

4 MS. NEFF: So the main changes are
5 the static nature of the M, the word
6 McDonald's on the left, and then it's just the
7 two colors, the red, orange and black with
8 text on the right?

9 MR. MCFARLAND: Correct.

10 MS. NEFF: I will say, since we
11 met last, I did see one of these McDonald's
12 signs on Fifth Avenue when I was downtown
13 several weeks ago.

14 MR. MCFARLAND: There's another
15 McDonald's, where?

16 MS. NEFF: It was a lot. Yeah, it
17 was quite fresh. It was night and I was
18 surprised at how bright it was. It was
19 blinding.

20 MR. PAX: And then the McDonald's,
21 the red panel left, is eliminated, full
22 backlit, LED illuminated; is that correct?

23 MR. MCFARLAND: I believe so, yes.

24 MR. PAX: Okay. Would that be

1 again 24/7 or business hours?

2 MS. NEFF: Business Hours is 24/7
3 at this location.

4 MR. PAX: Oh, is it? Okay.

5 CHAIRMAN TREFZ: Yeah. That's
6 correct, right?

7 MR. MCFARLAND: I believe so.

8 CHAIRMAN TREFZ: Business Hours is
9 24/7?

10 MR. MCFARLAND: Yes, yes.

11 MR. PAX: That's answers that
12 question. Okay. Sorry.

13 VICE-CHAIR ROSS: I noticed in
14 your application there had been page numbers,
15 so I'm sorry I can't help with that, your
16 project description, "applicant requests a
17 Conditional Use Permit for its monument sign.
18 The sign identifies its balance location and
19 allows patrons sufficient time to turn safely
20 into its site." So do you believe that that
21 is the reasoning for this design sign?

22 MR. MCFARLAND: Oh, yes,
23 certainly, to add to the safety of turning
24 into the site. What better awareness of how

1 close up that road is to the McDonald's that
2 they might see in the back if they have a
3 graphic closer to the road. So whether
4 they're going north or southbound, this will
5 aide in turning more safely into the site.

6 VICE-CHAIR ROSS: So you would say
7 that the main reasoning for having this sign
8 is to identify that there's a McDonald's
9 there, and to give patrons a chance to safely
10 turn in?

11 MR. MCFARLAND: I would say that's
12 correct.

13 VICE-CHAIR ROSS: Then why do you
14 need an advertisement on it?

15 MR. MCFARLAND: Because IF there's
16 other items besides -- The just standard things
17 that happen at McDonald's. It's not just for
18 advertising. It's for also community awareness
19 for other things that are going on, which is one
20 of the things that -- or one of our McDonald's
21 reps mentioned last time. They don't just want
22 to be advertising for specials. They also want
23 to be marketing for other special events that are
24 going on in the

1 area.

2 VICE-CHAIR ROSS: I don't see that
3 as something that's within McDonald's purpose,
4 your restaurant. It's a restaurant. If you
5 come to me and you say I want a sign that
6 identifies my restaurant and helps my patrons
7 to find it and turn safely, I would see a
8 different sign than this, but when there's a
9 sign that's mostly advertisement and very
10 little McDonald's, very little McDonald's,
11 then I wonder if that is true to get a project
12 description.

13 MR. MCFARLAND: Well, we're -- I
14 don't think that it's appropriate to have a
15 huge -- I think the letter M was what proposed
16 in 2000 -- the last time we were here, was it
17 '13?

18 CHAIRMAN TREFZ: 2023, yeah.

19 MR. MCFARLAND: I don't know that
20 McDonald's wants to overly put a huge brand
21 logo up out front. It just seems an overkill
22 and unnecessary. It focuses on the minimal
23 nature of -- in fact, the McDonald's portion
24 identifying is only 48 by 48 inches, so it's

1 significantly smaller than what was there
2 before.

3 VICE-CHAIR ROSS: So actually, if
4 it was just that portion of the sign with the
5 base, that could tell people that there's a
6 McDonald's there.

7 MR. MCFARLAND: If it was that low
8 on the ground, it would be difficult to see,
9 so it's not really helping the people to see
10 the sign. Which is why we need to have it up
11 off the ground a little bit higher so that
12 folks can see the McDonald's logo.

13 CHAIRMAN TREFZ: Other questions?

14 VICE-CHAIR ROSS: I have a
15 question for Eric.

16 CHAIRMAN TREFZ: Okay.

17 VICE-CHAIR ROSS: After we have
18 time to go further.

19 MS. NEFF: I have a question for
20 Eric, too.

21 CHAIRMAN TREFZ: Okay. Thank you.

22 MR. MCFARLAND: Okay.

23 CHAIRMAN TREFZ: If you wanted to
24 ask Eric, I was going to consider Eric in here

1 at the moment.

2 MR. GAYETSKY: Any time.

3 VICE-CHAIR ROSS: Eric, my
4 question is in looking at the application and
5 the specifications here, I have different
6 animations and hour times and things like that
7 that can be regulated, all these different
8 factors that can be changed and altered with
9 it looks like minimum programming. How on
10 earth would staff be able to tell whether they
11 were meeting the letter of what was approved?

12 MR. GAYETSKY: Well, we haven't --
13 so this would be a situation where it's up to
14 the BZA and BZA's discretion to apply
15 conditions onto how a sign can be adjusted, or
16 what switch, the timing, even things like the
17 brightness, when it would need to be turned
18 off. I think it would fall in a similar
19 category as some of the other entities that we
20 have to go out and do inspections for, but a
21 little bit more intricate as well. So, staff
22 might have to go at certain hours, later in
23 the day when the condition would need to be
24 enforced that the sign, for instance, would

1 need to be turned off. And then the BZA -- so
2 again, it's up to the BZA what kind of
3 conditions they want to put on, but staff
4 would need to follow up accordingly during the
5 proper timing and as well with the changing.

6 I would foresee just following a
7 stopwatch and making sure that it is in
8 compliance with whatever conditions BZA did
9 impose. If Robin or Julie want to elaborate
10 on that, please feel free. But I think that
11 it would be similar to some of the other
12 things, lighting, for instance, glare, timing
13 with the lights that we have had to follow up
14 on.

15 VICE-CHAIR ROSS: My reason for
16 asking me for that is, I think it would be very
17 difficult to enforce because it can be changed
18 all the time. And because anyone who went
19 past it, I know that your enforcement is you
20 only have so many people and so much time, and
21 anytime somebody went past and said, gosh,
22 that looks really bright today, they could
23 call you and have you go and inspect it to
24 make sure it's being held up to the standards

1 that BZA sets. Is that correct?

2 MR. GAYETSKY: Yeah. We would do
3 what's within our toolkit.

4 VICE-CHAIR ROSS: Right.

5 MR. GAYETSKY: I'm not 100 percent
6 sure if, for instance, a light meter, if we
7 might have to obtain some new tools compared
8 to what we already have. That would be
9 something certainly we would look into
10 further.

11 VICE-CHAIR ROSS: Okay.

12 CHAIRMAN TREFZ: What was your
13 question?

14 MS. NEFF: So my question, so Mr.
15 Freeman wrote in a note, and I believe Mr.
16 Freeman is on the other Zoning Board, so I was
17 intrigued by his comment about attending the
18 Zoning Commission meeting where the sign
19 regulations were being discussed for the
20 future for the zoning changes. And he stated
21 that electronic signs are currently prohibited
22 and will continue to be prohibited in the new
23 regulations to be proposed; is that correct?
24 I know that we're not under enforcement of new

1 zoning regulations, but what did they say?

2 MR. DUFFEE: So, the -- I always
3 feel a little hesitant to say with certainty
4 what is in a draft code because at this point
5 it is a draft code.

6 MS. NEFF: Yeah, yeah. Sure. I'm
7 just curious.

8 MR. DUFFEE: So there was, yeah
9 there was a Zoning Commission meeting a few
10 weeks ago where the Zoning Commission
11 discussed electronic signs. It was not, you
12 know, it was not a vote. The Commission did
13 not, you know, vote to allow electronic signs
14 or to not allow electronic signs. It seemed
15 that the balance of the Zoning Commission did
16 not favor the electronic signs. The current
17 draft has electronic signs permitted for
18 certain uses, institutional uses.

19 MS. NEFF: Schools --

20 MR. DUFFEE: Correct. And so we
21 will take the Zoning Commission's feedback,
22 incorporate that into the next draft, that
23 will be voted on by the Zoning Commission and
24 the Board of Trustees. But for the time

1 being, we have to go with the Regulations that
2 we have in front of us.

3 MS. NEFF: I absolutely hear you
4 that -- I was just curious what was proposed,
5 because I haven't heard feedback yet, so I
6 thought that was interesting.

7 CHAIRMAN TREFZ: Is there
8 questions to the Staff? Okay.

9 MR. GAYETSKY: I do want to make
10 mention that there were some other comments
11 that were received. That's what I've placed
12 in front of you for you to peruse. But you
13 also had received comments previously, which
14 were prior to the initial meeting last month.

15 CHAIRMAN TREFZ: Right.

16 MR. GAYETSKY: So these are any of
17 the ones that came after that meeting.

18 CHAIRMAN TREFZ: Okay. Anyone
19 from the audience wish to speak?

20 MR. THIEDE: My name is John
21 Thiede. I live at 6726 Fall Brook Drive, and
22 I was sworn in earlier. And I want to thank
23 Robin and you both for providing information
24 and discussion we had on Tuesday night

1 directly about this.

2 So, where I'm going to is, I think
3 the question that Stacey was asking about, we
4 know it's a draft coming later on, what those
5 restrictions are currently as draft. And I
6 don't think the answer was directly said that
7 there was a restriction as far as the
8 electronic sign only in certain areas. But I
9 think she also maybe was asking about monument
10 signs in itself. Okay. I don't know -- can
11 you answer to that, is there currently in the
12 draft that hasn't been approved yet, is there
13 a restriction for it for a monument sign?

14 MR. GAYETSKY: Well, so there are
15 standards for monument signs. I wouldn't say
16 there are restrictions necessarily, but there
17 are standards. One thing that would not
18 change with the draft code being adopted is
19 any restriction that is in a currently
20 existing planned district. So regardless of
21 whether a zoning code is adopted in the
22 future, this zoning text that we are dealing
23 with for this parcel, that prohibition for
24 monument signs on those parcels will remain.

1 MR. THIEDE: Will be permanent,
2 okay, so I appreciate that.

3 The other part that is the
4 concerning part, I see that they changed the
5 sign. I concur with Sue's comment about
6 asking being able to the monitor sign and make
7 sure that it is meeting what you put forward,
8 if you all approve the sign. And like you
9 just said, Sue, if I today went out there and
10 said a sign was way too bright and called them
11 up and said, hey, code enforcement, and it's
12 not there. Are they going to come that
13 immediate minute to go look at it? Likely
14 not. It could be mostly at night, you say
15 it's a 24/7 that that light -- that sign will
16 be on, during the day and during the evening,
17 because it's a 24/7 restaurant.

18 My biggest issue is that, you
19 know, going all the way back now and
20 understanding the Commission, the Commission
21 creates -- the Zoning Commission creates these
22 regulations for each zoning, then that goes to
23 the Board, or excuse me, not the Board, the
24 Trustees for approval. And then once the site

1 is built, they can come later on and say, hey,
2 we want to get a variance for it, and that's
3 your privy that you're going to do. And I
4 completely understand that's there. What I
5 ask at this point is, what is the overarching
6 reason why the Board would decide yes, we
7 don't care what the -- what's in the Zoning
8 Regulations, we think it's, for lack of a
9 better term, we see that it's there, let's
10 override what's in that. Okay. Because it
11 directly says in here that no monument signs
12 it says. So that's where I'm at on this. It
13 says, you know, we've had past folks, Crimson
14 Cup come forth most immediate, because I think
15 that was the most recent one that was asking
16 for it, and the Zoning -- your Board said, no,
17 we're not going to approve that variance for
18 that.

19 My biggest fear is that it all
20 starts -- comes up where we've got sign after
21 sign after sign after sign, okay, and that's
22 what I don't want to see. I own the home that
23 lives back behind McDonald's. A couple of my
24 neighbors are here that own homes back there

1 as well. It's 147 homes in total, I mean,
2 that has the potential of having a detriment
3 to our value of that home. It's appreciated
4 very nice, and I'm hoping when I do retire in
5 the next couple of years, it's stayed up that
6 high like where it's at now so that I can sell
7 it and move to someplace else and buy a whole
8 new home. That's where I -- that's where I
9 stand from, is what will it do to my value of
10 my home.

11 Now, the next part of it is that I
12 know that recently approvals for Pizza
13 Cottage, Del Taco and another Broken Egg, I
14 think is the name of it, was granted to build
15 a monument sign on theirs. Okay. And I think
16 the difference between up there and here at
17 the front of our homes is that there's no
18 direct homes right behind businesses itself.
19 So we're trying to keep this looking more like
20 a planned community, and that's why I think a
21 lot of times where's there's deeds and so
22 forth are made, it's just like my neighborhood
23 we have restrictions on what we have can do in
24 our homes. So I would just like -- and beg

1 that the Board deny putting the monument sign
2 of any type, any shape, any form at all, is
3 what I would like. Thank you.

4 CHAIRMAN TREFZ: Thank you.

5 Anyone else wanting to speak?

6 MR. GAY: Thank you. My name is
7 Larry Gay. I live at 169 Long Branch Run,
8 43015. I've been here before. And I just
9 want to clarify one question first.

10 VICE-CHAIR ROSS: I'm sorry to
11 interrupt you. Can you confirm for the record
12 that you've been sworn.

13 MR. GAY: Yes, I've been sworn.

14 VICE-CHAIR ROSS: Wonderful.

15 Thank you.

16 MR. GAY: There is obviously a
17 restriction on monument signs on 23. I don't
18 understand how that also kind of connects with
19 the electronic messaging. Are those two one
20 restriction or are they two separate
21 restrictions?

22 CHAIRMAN TREFZ: Two separate.

23 MR. GAYETSKY: Correct, they're
24 separate restrictions.

1 MR. GAY: So they're asking for
2 variances on both?

3 CHAIRMAN TREFZ: Yes.

4 MR. GAY: Okay. I've lived in the
5 neighborhood for seven years. And my wife
6 would get mad at me for saying this, Larry,
7 don't do this. I've been up and down Route 23
8 for 75 years. Okay. I was born in
9 Clintonville and I had relatives in Marion, so
10 up and down 23 literally for 75 years. I've
11 seen all the changes. And no way did I think
12 when I moved into Olentangy that we'd know the
13 development. That's beyond anything. So far
14 I've been very pleased that the restrictions.
15 I think it has been very tastefully done, and
16 I appreciate that.

17 This sign seems to go beyond that.
18 Okay. I certainly understand McDonald's
19 desire to draw customers in and make a profit.
20 There's no problem with that. But the way it
21 exists now, I think they -- first of all, I
22 would I assume that most of the customers now
23 live in the area, work in the area, or are
24 aware that that McDonald's exists where it

1 exists, so no additional signage is needed to
2 make those people aware. Okay. There's also
3 the people going north and south on 23 who
4 might not be members of the community. Okay.
5 But you can see -- if you go up and down 23
6 north and south, you can see from the golden
7 arches that they would (inaudible).

8 And not to make light of this, but
9 I have a grandson who's six. Okay. Before
10 they even put you in the store, they had the
11 arch up. Okay. While he was coming to be
12 babysitted from Gahanna, and obviously, he
13 doesn't live in the area, my son said that the
14 first thing he said was, there's McDonald's.
15 He was sitting in the back seat in his child
16 carrier in a car coming north on 23 and he saw
17 McDonald's. So obviously, there's not an
18 issue with signage. People can see it. They
19 know it's there. Okay.

20 Now, in addition, if they want to
21 add the messaging, here's my concern. There's
22 two -- my experience has been there's two
23 situations on 23. When traffic is moving,
24 it's 55 to 65. Okay. Now, if they want to

1 put more messaging on sign, that means people
2 are going to be distracted more. They're
3 going to have to process, as they're trying to
4 drive, they're going to have to process that
5 new information. McDonald's hopes they
6 process that and say, I'm going to turn in.
7 Okay. Either way they're going to process it.
8 Okay. If they already know it's there, that's
9 not a decision. Either we're going to go to
10 McDonald's or there is not. Okay. So I have
11 big concerns about the message. Okay.

12 The sign itself, I don't think
13 it's needed. If it was -- this is the new
14 version. The one at the bottom was the
15 original. You know, I can't say I have no
16 problem with the big yellow M, but the
17 messaging is, I think, beyond -- they're
18 trying to attract customers. They don't need
19 that if all they're trying to do is bring
20 people in because the people know it's there.

21 I hope that all makes sense. But
22 I think -- any questions for me? I appreciate
23 -- I know what you're doing. I appreciate
24 your effort. Thank you very much.

1 CHAIRMAN TREFZ: Thank you.

2 MR. MONROE: Brady Monroe, 24288
3 Darby Pottersburg Road, and I have been sworn.

4 CHAIRMAN TREFZ: Thank you.

5 MR. MONROE: So the main things I
6 want to kind of address are some of the
7 concerns, and there's nothing wrong with
8 concerns, and so I want to try to answer a few
9 of those. Brightness it seems like that's
10 kind of like the sticking point, as well as a
11 distracting message that scrolls and flashes.
12 That can't be changed by a mistake of an
13 employee that entered a new promotion, a new
14 item. As I think was kind of described in last
15 month's meeting, WatchFire can lock that out.
16 They can lock it out as far as how bright it
17 can be at 10:00 in the morning, how bright it
18 can be at 10:00 at night. The average user
19 can't change that. So the concern of, well,
20 they cranked it up tonight and I called Code
21 Enforcement and they dimmed it back down. It's
22 not that simple. That would have to be talking
23 to a corporate company, turn it up tonight and
24 then turn it

1 back down tomorrow. So that's something
2 that's not going to be able for them to do.

3 I know there was a comment about
4 the Fifth Street sign. Like anything, whether
5 it's a sign car, multiple different
6 manufacturers, and WatchFire is the premier
7 manufacturer and that is why, because of the
8 controls that they can kind of lock into a
9 system to make it accurate a certain way. And
10 so the brightness that, I don't know who said
11 it, you know, I'd ask was that a whole color
12 compared to a single color sign, because those
13 do sometimes appear more bright, and was it a
14 WatchFire? Because those are two completely
15 different signs. And I can understand how,
16 because they're called an EMC, they're lumped
17 together, but they're not. As far as why do
18 they need that, there are multiple things,
19 promotions, obviously, they could even say
20 Happy Mother's Day, you know, whatever the
21 case is. And then as you can see here,
22 temperature. For some reason the original
23 first page isn't up there. I don't know if
24 you have that. This was quick to submittal.

1 So it's not just about marketing
2 and it's McDonald's. They are about community
3 engagement and right here, and I know we
4 discussed this on the first meeting, this is
5 something, again, controlled by the backside
6 of the program. This isn't an employee has to
7 remember to do this. This automatically would
8 take over, cancel out the other message to
9 say, tornado warning, Amber Alert, whatever
10 that is. And so that's the benefit of this
11 compared to the traditional changeable copy.
12 There are other drawbacks, obviously, to a
13 changeable copy, as far as the main power
14 would go out there, whether it's a
15 weather-related thing. And I'm sure everyone
16 has seen a changeable copy before that they
17 had to use a five for an S or whatever the
18 case is, where this is a computer-generated
19 message to minimize errors for them.

20 And then for the kind of, like,
21 the distraction part of that, I'm sure
22 everybody's studied this parcel pretty in
23 depth. If you're heading north, if you want
24 to really easily turn into McDonald's, you

1 have to turn left, but with the minimal amount
2 of signs that are there now and how fast
3 everybody is driving on 23, you've now missed
4 the easiest entrance into this McDonald's. And
5 what is McDonald's? Fast food. So now you're
6 just going to continue to drive and wait to
7 look for Wendy's or Burger King or whatever
8 the next easy fast food is. Where this can
9 yes help notify without having to make a
10 sudden I'm going to cut two lanes over to make
11 left turn into McDonald's.

12 And I think that's all I have,
13 unless there are questions.

14 CHAIRMAN TREFZ: Any questions?

15 MR. MONROE: Thank you.

16 CHAIRMAN TREFZ: Ma'am.

17 MS. MCCOMB: Robyn McComb, 6710
18 Fall Brook Trail, Delaware. Thank you all for
19 your time.

20 MR. GAYETSKY: Ms. McComb, I'm
21 sorry, were you sworn in?

22 MS. MCCOMB: I was sworn in.

23 CHAIRMAN TREFZ: Thank you.

24 MS. MCCOMB: What I realized at

1 these meetings for 12, 13 years I've lived
2 here is that I've never actually thanked you
3 guys. You're definitely doing a service that
4 we don't have the time -- I've thought about
5 doing it myself, but we don't have the time to
6 do it and things like that, right, but you --
7 I'm hearing all these comments. And Stacey,
8 what you said, I value, and then I hear
9 objecting one, and it's maddening. All this
10 information is maddening about this issue that
11 we keep fighting these same things. But at
12 the end of the day, why do we have these
13 Regulations? We have these rules. We have
14 these Regulations that are standing. And the
15 current standing Regulations say, no
16 monuments. It's not no monuments but maybe,
17 unless there is some serious, special
18 circumstance. And they even at the last
19 meeting brought up their Variance criteria
20 that it was not contrary to public interest,
21 was one of their first comments. That's
22 completely wrong. And you know, some people
23 were standing here in the neighborhood
24 fighting that. But it's -- all it takes is

1 one, one -- it's contrary to public interest.
2 The Township right now in Delaware County is
3 trying to figure out how to re-route this road
4 because it's already dangerous enough.
5 They're trying to expedite traffic. It's
6 growing exponentially. They just, you know,
7 it sold a thousand more blocks and blah, blah,
8 blah, right. We have all these cars and we're
9 trying to hurry it up and speed it along and
10 maybe take out all these lights, but we're
11 going to throw in some signs to distract
12 people further. It just seems contrary, but
13 at the end of the day, the facts remain that
14 there's rules already that say no monuments.
15 When you're down by some of the businesses
16 that don't have homes right in the back door
17 and schools right across the street where
18 they're teenage drivers, I get it. I drive
19 through there. I don't like that del Taco has
20 a new sign. I drive by those every day, but I
21 understand that that's kind of a business
22 section, right. When I drive in this area,
23 it's in front of a Shale Hollow Park. If
24 you've not been to Shale Hollow Park, go to

1 Shale Hallow Park. It's exceptional. It's --
2 I look at this -- I look at this as home. And
3 people in that area look at this as a safe
4 place for their children. McDonald's knew
5 when they moved in, they knew, they bought
6 this 10, 12 years ago, they knew what this was
7 zoned for. And they even kind of eased in in
8 the sense that these were supposed to have
9 boutique restaurants, and, you know, less fast
10 food. The vision from that neighborhood was
11 high-end homes. You know, so I understand
12 things change, but why can't we keep some
13 things sacred. It's a nice rule to not throw
14 up signs, especially signs that aren't going
15 to be proven -- that he even said, it won't
16 even be tall enough to be seen. Well, then
17 why are we fighting to put it in? They have a
18 sign on the front of their building. I can
19 see from the light north of it. I can see
20 from just south of the church coming north.
21 You can see the big M on the building. People
22 know that it's there. If they don't know it's
23 there that one time, the next time they're
24 going to know. And there's multiple roads to

1 turn on.

2 So at the end of the day, I just
3 don't understand why we keep entertaining
4 conversations with these commercial properties
5 because they want a sign, though, we are told
6 is the residents also the slippery slope is
7 isn't allowed, you know, every circumstance
8 will be looked at. I believe that. I do
9 believe that. I don't believe they need a
10 special circumstance. They've got a clear,
11 wide-open lot. They've got a church forum to
12 one side and they've got businesses to the
13 other side. They've got two intersections
14 that you can turn on. They're at an
15 intersection. People are already stopping and
16 going in there. They're seen. They know that
17 they're seen and that the sign is going to be
18 distracting.

19 So, I just ask kind of under the
20 same as John Thiede was speaking in my mind
21 when he was up here, I just ask that, you
22 know, continuous, if you must, that, you know,
23 prevent these signs, because we don't want --
24 there will be seven more. The bank said when

1 they were here that's right next door to
2 Friendship, that if a sign goes in, they're
3 coming back and we know that. And so do we
4 want this to look just like an industrial
5 section or do we want it to still have
6 something that looks like Shale Hollow in a
7 residence and a high school and an elementary?
8 We still want to keep something sacred in the
9 Township. Thank you for considering it.

10 CHAIRMAN TREFZ: Thank you.

11 MR. HOLOWICKI: I've been sworn
12 in. My name is Scott Holowicki. My address
13 is 5240 Locust Hill Lane, Dublin, Ohio. I
14 want to ride that energy because like what
15 Robyn just said touches home in a way that I
16 want to make sure you understand. I am not a
17 commercial property. McDonald's is my
18 partner. They own all the land and all the
19 dirt. I am merely a tenant on their property
20 trying to do the best I can.

21 When you talk about homes and
22 schools, those are the people that I'm
23 employing. Those are the customers that are
24 coming to us and I want nothing more than to

1 serve you guys.

2 MS. DONNAN: Mr. Holowicki, I'm
3 sorry, because this is a hearing, please
4 direct your comments to the Board.

5 MR. HOLOWICKI: Oh, I'm sorry.
6 I'm sorry. I apologize. I am wanting nothing
7 more than to serve the community that I
8 operate this restaurant in. I have 24 other
9 restaurants in a lot of different communities,
10 and I can assure you that the homes and the
11 schools are of utmost importance to me. I
12 invest in them every day by employing the
13 people that live there and feeding their
14 families. And nothing gives me greater joy
15 than serving communities we're operating in.
16 We add a lot of value to the schools. And
17 we're not just a restaurant suit. One in
18 eight Americans have been employed at
19 McDonald's.

20 On Monday, the U.S. Secretary for
21 the Department of Labor visited our
22 restaurant. The Lieutenant Governor, Jim
23 Tressel, was there. The U.S. President of
24 McDonald's, Joe Erlinger, was there, and I

1 couldn't be more proud to have hosted at that
2 restaurant. I had the option to choose
3 others, but I chose that one because it
4 represents everything that I hold near and
5 dear to my values. We were there to celebrate
6 this anniversary of 10 years of our choice of
7 opportunities, something that I've invested
8 heavily in.

9 One of my employees was able to
10 speak during a 20-minute press conference that
11 these people -- I was just hosting, you guys.
12 This isn't about me. This is about McDonald's
13 meeting with our Secretary of Labor. And what
14 happened was we celebrated the hiring of
15 370,000 people this summer, was what was our
16 target. Anna Maria is an employee of mine.
17 She got to share her story about how through
18 Archway to Opportunity she has now bought her
19 first car. She has changed from becoming an
20 EMT to becoming HR professional at our
21 company. What happened on Monday is my
22 proudest moment as a McDonald's franchisee,
23 and it happened at that restaurant.

24 Believe me when I tell you that

1 our monument sign is not there to tell
2 everybody McDonald's is here. I know you guys
3 know I'm here. We want to be a beacon of
4 light. I shine those arches every day, you
5 guys, and I worked really hard to do it. We
6 add value to the community. Your homes will
7 be worth more because we're there. I promise
8 you that. I don't have an alternative of
9 agenda. I want to serve the community. I
10 want to feed the community. I want to employ
11 the community.

12 I will make the sign whatever you
13 guys need it to be. I don't want a rotating
14 message. It takes 21 days to develop a
15 routine. I'm happy with the static message I
16 don't need it to change. I don't need it to
17 be colorful. I'm not trying to blind anybody
18 driving. I believe in driving safety. But
19 what Brady said is true, if you're in the
20 other lane and you drive past this, you can't
21 get over and turn in time. I need that sign
22 out front because by the time you've seen
23 this, it's too late. So, I hope you guys
24 understand that I want the same things you

1 guys want, and I think this sign can help us
2 do that. I'm happy to answer any questions
3 you guys have. Thank you for your
4 consideration.

5 CHAIRMAN TREFZ: Thank you.

6 MR. THIEDE: I was just wondering
7 if Robin --

8 CHAIRMAN TREFZ: Please, don't
9 start talking until you're at the mic. And
10 you've been sworn in and your name and
11 address.

12 MR. THIEDE: I've been sworn in.
13 My name is John Thiede, 6726 Fall Brook Trail.
14 Robin, I don't know if you can, since you
15 control that, what's up there, can you go to,
16 you know, what the website is called
17 bemats.com. Okay. The reason I'm saying that
18 is I think there's their aerial view of what
19 that area looks like right there is very
20 pertinent to everything here. Or I can show
21 you guys, but then everybody else can't see
22 their slides.

23 CHAIRMAN TREFZ: What's different
24 between that and Google Maps?

1 MR. THIEDE: Because this actually
2 shows the building actually built right now,
3 whereas, Google does not. At the moment, the
4 pages having updated their most recent
5 satellite photos and Be-Maps does. I mean, it
6 shows the building completely built and
7 operational.

8 CHAIRMAN TREFZ: Thank you.

9 MR. THIEDE: Okay. So now zoom
10 out. Okay. Just a little bit more. Okay.
11 So, what I want to point out in this is just
12 so that you guys know and you can actually see
13 it. So I'm coming down 23 from the north
14 side. Okay. On his north side facing of the
15 building, I believe there's an M on the
16 building itself. Okay. So, I know from
17 driving this morning, okay, after dropping off
18 somebody at school, I turned out of Olentangy
19 Crossing West, which is the next light up, I
20 looked south and you can see from that point
21 in time that there is a McDonald's there.
22 Okay. One thing that's probably great about
23 McDonald's is everybody knows what that big
24 golden arch M is. Okay. We've been instilled

1 in that for as long as I can remember as a
2 kid, right. So I don't see their big need for
3 that. So, if you're coming from the south,
4 which would be from the lower part, I get that
5 it's a little bit blocked because of the trees
6 that are right there at Home Road until you
7 get to the church. Then there's the church.
8 But you can't turn left right there at that
9 first light between the church and McDonald's.
10 You have to go to the light at Lewis Center
11 Road and Coal Bend, okay, and you have to make
12 a left, turn there in order to get to the
13 McDonald's, which the only way you could do it
14 is now going up past Friendship gas, come
15 south on Artesian and to get into the
16 McDonald's. Okay. So again, I think coming
17 from the south, you can see it there before
18 you're able to make a turn. So I think having
19 the sign doesn't give a greater advantage of
20 being able to get more people to see that
21 there is an McDonald's there. I don't think
22 there's the problem -- I think of last week,
23 and I'm sorry bringing up Cottage Pizza, that
24 was kind of one of the points I had made about

1 Cottage Pizza, is that somebody had said you
2 can't see Cottage Pizza because of the other
3 businesses. And they were actually even with
4 the setback was exactly the same. On this one
5 here, their setback is closer to the road than
6 Friendship gas and actually, I think closer to
7 the road than the bank that's there, and then
8 naturally with the other businesses that are
9 there, Panera Bread and that, they're set back
10 far enough so you can still see it.

11 So my point about showing this is
12 that here's a visual that shows you that the
13 sign being there is not going to give you the
14 advantage above of what you already have now.
15 That's my opinion. Thank you.

16 CHAIRMAN TREFZ: Thank you.

17 MR. HOLOWICKI: I'm really glad
18 that this map is available to us because --

19 MS. NEFF: Name, please.

20 Oh, I'm sorry. Scott Holowicki,
21 5240 Locust Hill Lane, Dublin, Ohio. I have
22 been sworn in.

23 This map does a really nice job of
24 illustrating our challenge. If you are coming

1 from the north heading south, you can see the
2 angle of the road is actually driving your
3 line of sight in a different direction. So
4 the way that we understand how signs work is
5 if you can imagine a laser coming out of your
6 eyeballs, when we do lines of sight and we try
7 and determine where to best put signs, we will
8 generally rent a couple of different types of
9 trucks and we'll have cameras mount at
10 different angles to kind of get the best view.
11 This is Brady's expertise, way beyond what I
12 do, but they're really good at positioning
13 things and helping us determine the best place
14 to put a sign.

15 And in a situation like this, you
16 know, the way the road is positioned is
17 pointing people if you're coming from the
18 north away from our store and you know the
19 landscape, especially at the corner where
20 people need to turn in, is grown out, which
21 really prevents people from seeing our
22 building. Having the monument sign farther
23 out helps them see once they're past that that
24 sign. Coming from the other way, you notice

1 that the church is really present. It's
2 closer to the road than us, along with our
3 landscape plan, which really complicates
4 people's line of sight. So again, remember
5 those lasers coming out of your eyes as you're
6 driving looking forward on the road what you
7 see, that sign is the only chance we have of
8 catching people's attention before it's too
9 late. Remember, coming from this way, coming
10 from the north to the south, we have two
11 opportunities to get in.

12 As was pointed out earlier, coming
13 from the south to the north, you cannot make a
14 turn at the first entrance because of the
15 median, so we're really counting on folks to
16 see us. And that's a two-lane road. If
17 you're on the right-hand side, you cannot get
18 to the turn lane, which has to be in the
19 median. So we need as much time as possible
20 for those people to adjust, if they see that
21 sign, they have more time to get over safely
22 and get into that turn lane to make a turn
23 into our location. Any questions?

24 CHAIRMAN TREFZ: No. I don't

1 think so.

2 MS. MCCOMB: Robyn McComb, 6710

3 Fall Brook Trail. I have been sworn in.

4 When you come north, if you miss,
5 as you see, you can see McDonald's as soon as
6 you pass the church. You can't turn there,
7 but you can turn at the light at Coal Bend
8 where Lewis Center Road turns in the Coal
9 Bend. I'm an expert on this. I can do it in
10 the dark with my eyes closed. If you miss
11 that because you -- I have never seen
12 McDonald's sitting there and you all of a
13 sudden have to have a double key focus. You
14 can get -- turn right, turn left and cross
15 over, or you can proceed to the next light,
16 which is right back past Panera Bread.
17 There's another light there, you can turn in.
18 Most people coming southbound will actually
19 turn at that light to avoid sitting in traffic
20 there at those multiple lights and come in
21 Artesian behind it. Coming from the north,
22 you have four options to get the McDonald's,
23 four options. They don't need a sign. There
24 are two lights where you're sitting at. You

1 can see them because you almost hit them every
2 time. If you only hit one, you're going to
3 hit the other, and you're going to see
4 McDonald's right up ahead, there's a big sign
5 on the roof that stands out. The building is
6 not blocked. If you're coming northbound and
7 if you miss that left light that -- he's
8 right, if you miss that light, you have
9 another one. You can see it. It's right in
10 the distance. It was built that way. Lewis
11 Center Road, the roads were well thought out.
12 The high school (inaudible). It dictated all
13 of these roads. There's back roads. If you
14 miss any of those side roads, you can turn off
15 and you can turn around, and so there's plenty
16 of access. The sign is, it's just, it's a
17 mute point. Thank you.

18 CHAIRMAN TREFZ: Thanks.

19 MR. HOLOWICKI: Scott Holowicki,
20 5240 Locust Hill Lane, Dublin, Ohio. I have
21 been sworn in. My neighbors are spot on.
22 They know the neighborhood like the back of
23 their hand, much like you guys do.

24 The problem is, that it's based on

1 a set of assumptions that haven't come true.
2 Being off 20%, it hurts, folks. It is not a
3 great business model right now. And a third
4 of the business that is coming to this
5 restaurant is coming from my other restaurant
6 just down the street, 30% hit at the other
7 location. It's four miles away. Everybody
8 has signage in between us and them but me.

9 This is not a situation of -- how
10 do I say this, folks? I'm looking for some
11 collaboration. I really think this could help
12 us hit our targets and help us continue to
13 operate in a manner that we know we're capable
14 of. Not everybody knows we're there. Our
15 neighbors know we're there because they drive
16 it every day. These folks are very involved,
17 much like you guys are. I appreciate the good
18 work that we're doing today. I'm asking for
19 your help because my business relies on more
20 than just the neighborhood. I need the folks
21 that are traveling through. I need the folks
22 that are visiting. I need the other reasons
23 we have business in the neighborhood to
24 thrive. I need that, too.

1 They have signs and I don't. I'm
2 not asking for a sign that's going to blind
3 anybody, change too many times, but I do think
4 it can help us hit our targets, and I don't
5 think it's unreasonable. There's a lot of
6 folks out there that do not know where they
7 are. Projections tell us that. People way
8 smarter than me at McDonald's came up with
9 these projections, and we're so far off those
10 projections, we are now on a different type of
11 program with McDonald's because we missed the
12 projections.

13 MS. NEFF: When you said the
14 location four miles away, you mean in Delaware
15 or?

16 MR. HOLOWICKI: South in front of
17 Kohls where the Chick-fil-A just opened up.

18 MS. NEFF: Do you (inaudible) at
19 that location as well?

20 MR. HOLOWICKI: I do. I do. Any
21 other questions?

22 MR. PAX: I guess one question
23 that I have is monumental sign -- monument
24 sign basically is drawing public attention.

1 It's a form of just as much as the logos on
2 the building. It's out on the landscape, so
3 it is different. What's interesting to me is
4 I wish I could see an image of the building
5 itself, actually of the sign because to me
6 it's germane.

7 The fact that where that sign --
8 the resident brought up a point about the
9 signage that's on the north end of the
10 building that can be seen from 23 potentially,
11 that to me is germane in understanding the
12 people identifying the building as McDonald's.
13 And the one thing I will say also is, I've
14 been by many McDonald's. This McDonald's has
15 an architectural design which is unique and
16 not typical of most McDonald's. It just
17 isn't. Again, their branding, the colors, this
18 building could be a branch bank, if that "M"
19 logo is not in that gable. It just could be.
20 It's a gable. The architecture doesn't connote
21 the same typical image of a McDonald's. So that
22 could be part of the struggle is that a lot of
23 the branding, a lot of the color branding, a
24 lot of the look that

1 is typical of most McDonald's is not on this
2 building.

3 So, for the people that are
4 driving by that are not familiar with 23 and
5 would not automatically say that's a
6 McDonald's. And furthermore, in my opinion,
7 humble opinion, the M logo is up in the gable.
8 It's not, again, typical of how you obviously,
9 typically see them on McDonald's. And so even
10 for me, as I'm driving by it, I didn't notice
11 it immediately. I didn't. A six-year-old
12 did, but I didn't. So it -- that is an
13 interesting challenge that you're facing.

14 What I find commendable, in my
15 mind, is that the architecture is a little
16 more respectful of the residential character
17 that is behind it, because it incorporates a
18 gable versus a flat roof structure that is
19 most typical of McDonald's. So, I commend at
20 least the architecture and the effort there.
21 So, for me I'm very curious what the signage
22 is around the building because that, again,
23 gets to the kernel of what we're talking about
24 of identification for the building for patrons

1 that aren't familiar with this area.

2 MS. NEFF: Didn't you change the
3 architecture so to get through zoning? Yeah.
4 I just wanted to make sure I was remembering
5 correctly.

6 MR. PAX: I figured that was part
7 of it.

8 MS. NEFF: It just had an M on the
9 front, right?

10 MR. PAX: It does.

11 MS. NEFF: But it does sit back a
12 bit.

13 MR. PAX: Again, I'm just trying to
14 understand the facts that contribute to the
15 purpose and your intent with the monument
16 sign, as I understand it, and that you're
17 having problems getting patrons to your
18 restaurant. So I'm very intrigued. In fact,
19 I was the Board Member at the last meeting
20 that mentioned the fact that the setbacks
21 because I find that is relevant, and the fact
22 that that was brought up that this McDonald's
23 is indeed pronounced before that other
24 building, so that is a relevant fact.

1 However, where that signage is on that north
2 elevation is just as relevant. And the fact
3 of the set -- the distance, this is sheer
4 distance. If you're looking at that graphic
5 there up on the screen, from the roadway and
6 the reality of that angle that you had
7 mentioned in your argument is real. Your
8 sight lines are not necessarily as conducive
9 to be looking there at that -- to the right as
10 the angle of the roadway is going down, so.

11 MR. HOLOWICKI: I think your
12 comment about not identifying as a typical
13 McDonald's is spot on. I do know that there
14 were a number of concessions made to what a
15 new store standard would represent these days.
16 Meaning, you know, local zoning allows us to
17 dictate what a building would look like. It
18 would have a very modern architecture. It
19 would have been built taller, or like a box.
20 It would have had a completely different look,
21 which would not have been in keeping with the
22 neighborhood whatsoever. And I do agree that
23 if that had been done, that could have been,
24 you know, possibly detrimental to the

1 neighborhood, but that's not what happened.
2 What happened here was a great collaboration,
3 in my opinion.

4 And I got to be honest with you,
5 this building has really grown on me in terms
6 of how I think it looks. I think it's very
7 charming. And I think there's a reason why,
8 you know, the U.S. President of McDonald's
9 chose this location to meet with Madam
10 Secretary on Monday right there.

11 MR. PAX: So again, I appreciate
12 you putting that up on the screen, because you
13 easily could have put some garish, yellow
14 thing in that gable with a red M on it, or red
15 with the yellow M on it, but no, it's
16 complimentary to the earth tones that are in
17 the properties adjacent, so that's
18 commendable. That is respectful of that.

19 MR. HOLOWICKI: Joe, we would
20 normally have a higher facade, and within the
21 flat facade, there would be a full written out
22 McDonald's. The new store standard would have
23 that on as many faces as available because, as
24 you can see -- well, when we were on that

1 other map, the challenge of that road is it's
2 angled a certain direction, which changes your
3 line of sight. And then the way the
4 architecture of the buildings around me are is
5 -- it's sort of we need the building coming
6 from north this way because it's pronounced,
7 but coming from the other way, I've got to
8 have the road sign, so we're sort of like
9 right there with where those building signs
10 really helped us coming from north/south. But
11 the other way, I need that monument.

12 MR. PAX: I will say to the
13 residents' concerns that have been voiced, and
14 also here on Board, the message center sign to
15 me is irrelevant because the speed that people
16 are traveling, it's been reduced, the size of
17 the font itself, if you're going to be able to
18 even see it, your eyes are off the road.
19 You're crashing. I mean, it's just, that's
20 not realistic, in my opinion, again, as a
21 Board Member. That when you're looking at a
22 separate case for what we're looking at here
23 for the Variance, the EMC is one big piece of
24 it. And then the other is, what could be the

1 monument sign that could basically denote your
2 building and help in way finding and
3 identification.

4 So, I'm going to stop. I've been
5 talking way too much. But I do want to just
6 emphasize to me, I have a major problem with
7 the EMC. I don't think it's necessary. I
8 understand the public message, but we have
9 other avenues to do that. And I just -- for
10 this specific location, I don't think it's a
11 --

12 MS. NEFF: So piggybacking on what
13 you just said. So, I was here for the -- when
14 we talked about the roof and all that stuff.
15 And you guys brought a proposal for some signs
16 then. And I'm trying to remember what we
17 didn't like about it. I think it was really
18 too big. Do you remember?

19 CHAIRMAN TREFZ: It was too high.

20 VICE-CHAIR ROSS: It was too high.

21 MS. NEFF: But it was a static
22 like an M. It was plain.

23 MR. PAX: You mean the monument
24 sign?

1 MS. NEFF: Yes, yes.

2 CHAIRMAN TREFZ: Oh, I'm sorry.

3 VICE-CHAIR ROSS: I thought you
4 were talking about the --

5 MS. ROSS: No, the building back.
6 The original monument sign that was proposed
7 when we were looking at the building was just
8 a plain M, plain sign. Why would you go all
9 the way to the lights?

10 MR. HOLOWICKI: So technology is
11 leading us down the path of allowing us to
12 turning EMC into a static message board, which
13 could appear to be half monument, half
14 message. We can change the proportions. You
15 know, these things are really slick. If we go
16 -- we're not going to be able to buy
17 technology that you're kind of, I think,
18 suggesting and have it supported. Because the
19 companies really that we're dealing with,
20 approved McDonald vendors, they want us to
21 have digital signs that we can control based
22 on local zoning. So you guys tell us how to
23 manage it, and that's what we did. We control
24 it however you want. I have no reason to not

1 comply with that.

2 You know, if we were to say, well,
3 let's go to, you know, old school, we're just
4 going to go out, send an employee to manually
5 go out there and slide the letters in and
6 write the message out. You know, well, one,
7 we're putting somebody out next to the road,
8 which puts them at risk. It doesn't always
9 get spelled the way it's intended to be
10 spelled. And, you know, we've had people in
11 neighborhoods come up and change the message
12 to things that are wildly inappropriate. So,
13 by having a digital sign, we're able to
14 control it. And you know, if you guys would
15 feel comfortable saying, hey, okay, you get
16 one message a day, I'm happy keeping the board
17 static. I just think that the bigger picture
18 is understanding that an EMC is not intended
19 to be used as a flashing billboard like moths
20 to a light. This is merely something that,
21 you know, we can use, especially at nighttime,
22 you know, all the brightness and the awareness
23 really is a night factor. What can we see
24 when everything's dark? You know, if that's

1 not there, you can't see anything until you
2 can see the building, and that's sometimes too
3 late. During the day, when none of this stuff
4 is on, I need to have something visually there
5 that's going to stand out because the lights
6 aren't jumping out like they would at night.
7 So by having a road sign during the day, it
8 creates better opportunity for people to
9 realize that they're at McDonald's.

10 CHAIRMAN TREFZ: Anything else?

11 Thank you.

12 MR. GAY: I'm trying to stay
13 controlled here. I am Larry Gay, 169 Long
14 Branch Run, Delaware. I appreciate very much
15 the look of this new McDonald's. It's a great
16 job of landscaping. It's low, that's great,
17 okay. But the bottom line is this, they want
18 to attract attention away from the drivers to
19 their sign, to bring people in to the
20 restaurant. I understand that, okay. But
21 they knew the situation before they designed
22 and built the store. Now they're finding out
23 things don't work as well as they thought they
24 might, okay, and they want to go beyond the

1 Zoning Laws. Okay. I don't think that's fair
2 to the community members who are depending on
3 Zoning doors that hold tight to these things.
4 Okay. Just because McDonald's made a mistake
5 in designing and putting the McDonald's where
6 they put it, and now they find out they can't
7 draw enough customers into it, our
8 neighborhood should not suffer because of
9 that, with signs that I have already been
10 against Zoning Laws. Okay.

11 So I would just like -- and one
12 more thing. We've been talking about lines of
13 sight. Okay. If I'm driving my car and
14 looking directly at you and the sign is over
15 here, it's going to cause me to look that way.
16 So, he's right, the way it's structured now,
17 23 southbound goes that way. So to put the
18 sign in, it causes the person to look even
19 farther to their right. Okay. So it's a
20 dangerous -- we've had serious, fatal
21 accidents at the light at Lewis Center, Coal
22 Bend, 23. They're getting worse. It's going
23 to get worse. Okay. We don't need any more
24 distractions than we have right now.

1 So even though I respect what
2 McDonald's has done so far, I very much
3 appreciate it. It's a nice looking
4 McDonald's, but they shouldn't be allowed to
5 do things that are not permitted because they
6 didn't plan on it.

7 CHAIRMAN TREFZ: Sir.

8 MR. MONROE: Brady Monroe, 24288
9 Darby Pottersburg Road. I have been sworn.
10 So just kind of to reiterate some of what
11 Scott had mentioned is, it seems like there's
12 a lot of I know where it's at, I know where
13 it's at. Again, we're on a State Route. It's
14 the transit traffic that you're trying to
15 catch before they have to make a sudden turn
16 and try to cut across the lanes. Again, it is
17 23, traffic is pretty heavy. We've all been
18 there. For the guy that cuts across you
19 because he realized the -- really it's too
20 late to make that turn.

21 There was just a comment made
22 about the distraction of looking right. In
23 that theory it's less distracting because now
24 you're looking at something that's closer to

1 the road, as opposed to over here where the
2 building is. I think it's been well
3 represented that because of the architectural,
4 if you want to look at it from design
5 standards or advertisement standards,
6 obviously, you know, they complied, which has
7 affected business. But again, back to the
8 community and understanding that it is
9 important to have esthetically pleasing
10 structures is how we kind of ended up here.
11 The gable does hide part of the sign, too,
12 even when you do see it. I think on our
13 original application, there were quite a few
14 pictures, even, I think, a video that was
15 submitted driving down the road, showing that
16 by the time you see it, you're pretty much
17 past it. So I just want to kind of reiterate
18 on some of that.

19 And back to the distraction, I
20 know I live up in Marysville. As I come into
21 Dublin, ODOT has placed a ginormous EMC that
22 has messages on it. And I think there was a
23 study that was presented, and there was kind
24 of some bluffs called at the last meeting of

1 why didn't you have to say there was a study
2 showing that this isn't dangerous? That's to
3 me telling me it is dangerous, because if
4 not -- if they're going to put something out
5 on a State Route, they're going to do their
6 studies on it. And so if they're confident to
7 put in a message center across State Route 33,
8 they have facts backing that up of how it's
9 not a distraction. What's a distraction is to
10 put it in your hand trying to figure out where
11 to go, not up to the sign showing me where to
12 go. Thank you.

13 MS. NEFF: I'm sorry. What's your
14 role with McDonald's?

15 MR. MONROE: So I'm the Sign Lite.
16 I'm the sign builder.

17 MS. NEFF: Thank you.

18 MR. THIEDE: You have more faith
19 in ODOT than I do. (Laughter.) (Inaudible.)

20 MS. DONNAN: If there is some
21 additional testimony, just as a reminder, you
22 do have the ability to move into private
23 deliberations to discuss the application.

24 CHAIRMAN TREFZ: Is there a

1 Motion?

2 VICE-CHAIR ROSS: I move that we
3 adjourn to Private Deliberations.

4 CHAIRMAN TREFZ: Okay.

5 MR. GAYETSKY: There was a Motion
6 made to move into Private Deliberations by Ms.
7 Ross, seconded by Mr. Pax. Those voting:

8 Mr. Trefz.

9 CHAIRMAN TREFZ: Yes.

10 MR. GAYETSKY: Ms. Ross.

11 VICE-CHAIR ROSS: Yes.

12 MR. GAYETSKY: Mr. Pax.

13 MR. PAX: Yes.

14 MR. GAYETSKY: Ms. Neff.

15 MS. NEFF: Yes.

16 MR. GAYETSKY: And Mr. McCoy.

17 MR. MCCOY: Yes.

18 MR. GAYETSKY: You are in Private
19 Deliberations.

20 (Entered into Private
21 Deliberations.)

22 MR. GAYETSKY: There was a Motion
23 to come out of Private Deliberations by Mr.
24 Trefz, seconded by Ms. Ross. Those voting:

1 Mr. Trefz.

2 CHAIRMAN TREFZ: Yes.

3 MR. GAYETSKY: Ms. Ross.

4 VICEO-CHAIR ROSS: Yes.

5 MR. GAYETSKY: Mr. Pax.

6 MR. PAX: Yes.

7 MR. GAYETSKY: Ms. Neff.

8 MS. NEFF: Yes.

9 MR. GAYETSKY: And Mr. McCoy.

10 MR. MCCOY: Yes.

11 MR. GAYETSKY: We had to come out
12 of Private Deliberations, but you were locked
13 out, so you didn't hear part of that, so I'll
14 just put that on the record.

15 MS. DONNAN: Board, if I may,
16 since the applicant, it appears they were
17 conferring outside, perhaps a request for them
18 to see if they have a new request to the Board
19 or that type of thing before the Board for it
20 to move for its decision.

21 CHAIRMAN TREFZ: This is just for
22 the applicant, if you have something else you
23 want to tell us. But what you missed was we
24 took a vote to come back into session, and we

1 have to do that to legally continue. Yes,
2 sir.

3 MR. MCFARLAND: Okay. Jim
4 McFarland, Resources, 84 Skyline Drive. I've
5 been sworn in.

6 Robin, would you like to just drop
7 those other photos just for -- the
8 conversation you had earlier before you moved
9 to deliberate. There was some additional
10 photos that just shows some different views of
11 the building. These are different times of
12 the day, just to give a perspective of how the
13 building looks. And it's very nice for the
14 residential, but it's difficult to see the
15 letter because of where it's placed, because
16 there's not a lot of lighting in that area at
17 all.

18 One other point I wanted to just
19 remind the Board that you have already allowed
20 digital messaging on the site. You've already
21 approved digital messaging for the use of the
22 site. The McDonald's all over the place have
23 what are called ODMP's, which are called
24 outdoor digital menu ports. And so for as

1 long as this McDonald's has been in operation,
2 I don't believe there's been any public
3 complaints related to digital messaging in the
4 drive thru. I don't believe there's been any
5 complaints from any neighbors about anything
6 related to McDonald's. And I'm not so sure
7 there's a lot of standing for people that
8 don't -- aren't affected directly from another
9 sign that's going to be even exponentially
10 further away than the residential district.
11 So if they're not being impacted from three
12 digital messaging devices that are already in
13 place at the -- near the rear of McDonald's,
14 then how they will be more impacted by a
15 single monument out front with static images
16 that you're going to regulate? That's my
17 question.

18 So for the Board, you're not
19 giving something on the site, and we're not
20 asking for a digital menu board. We're not
21 asking for a digital EMC. We're asking for a
22 monochromatic, single-type letter with no
23 graphics that you control and you regulate.
24 You decide. This is an easy decision for the

1 Board.

2 I appreciate the passion. I
3 appreciate the perspective. I appreciate the
4 desire to be focused on tradition and things.
5 But a 30% drop if this McDonald's is not
6 competitive. I don't care who owns it. This
7 is not a fair opportunity. When you look at
8 the decision criteria that you have to make
9 your decision by, we meet all seven of the
10 Conditional Uses. Specifically in Variance
11 Criteria No. 2, this Variance is justified in
12 the discussion of the conditions. You already
13 all said.

14 Several of the folks have talked
15 about the unique architecture of the building.
16 We have a 150 foot setback of the primary
17 structure from the right-of-way. We have
18 International Sign Association charts that are
19 readability. We don't have the word
20 McDonald's on this stinking building because
21 there's not room for it. So, I'm a little bit
22 sad that all of these officials couldn't see
23 the word McDonald's on this premier site
24 because this franchise owner and McDonald's

1 went overboard to try to placate and to do
2 what's right in this community by the
3 architectural and design of this building to
4 fit in with the residential district. And
5 your responsibility as a Board is the
6 conditions and -- the Conditional Use and the
7 Variance criteria, and we meet those. And I
8 do believe that this McDonald's is being set
9 apart and that is not given the -- I hope that
10 it's going to be given consideration for an
11 ability to be used something to communicate,
12 and even at that, we don't get to, I don't
13 believe, if it's changed, we can't regulate
14 content. That's not something that Boards are
15 allowed to do. I mean, that's whatever the
16 message is, as Joe said, it's irrelevant. But
17 this franchise owner and the property owners
18 are going to do what they can, and they'd love
19 to hear your opinions that can make this
20 happen. We don't want to go back to chain
21 man, you know, going out there every day and
22 putting things in there. That's just
23 ridiculous. And unfortunately, when things
24 like this, if they don't get approved, what

1 ends up happening is your Code Enforcement has
2 another challenge because McDonald's is going
3 to start seeking flags out there. They're
4 going to start seeking yard signs out there to
5 try to communicate something to be
6 competitive, because the other fast food
7 restaurants on 23 get to do other messaging,
8 McDonald's can't. So that's all I have to
9 say.

10 CHAIRMAN TREFZ: Okay. Thank you.

11 VICEO-CHAIR ROSS: Are you ready
12 for a Motion?

13 CHAIRMAN TREFZ: Yes.

14 VICEO-CHAIR ROSS: First of all,
15 we have the Variance Request for the monument
16 sign. The Board makes the following findings
17 of fact on the Variance before us. That is A,
18 the property in question will yield a
19 reasonable return and would be beneficial use
20 of the property without the Variance. The
21 Variance is substantial at 100%. The
22 essential character of the neighborhood would
23 be substantially altered as a result of the
24 Variance. The property owner purchased the

1 property with knowledge of the zoning
2 restriction. And the property owners
3 predicament feasibly can be obviated through
4 some other method, other than a Variance.

5 Based on those findings, I move to
6 deny Case No. VA-CU-25-04, for the property
7 located at 6691 Artesian Run, Lewis Center,
8 Ohio, 43035, seeking a Variance from Rezoning
9 No. 18517 Section 14.07 Subsection (n) to
10 allow a two-sided monument sign with
11 Electronic Message Center, EMC, along U.S. 23,
12 as shown in Exhibits 1 and 4 of this report,
13 in an area zoned Planned Commercial and Office
14 (PC).

15 MS. NEFF: Second.

16 MR. GAYETSKY: Motion made by Ms.
17 Ross, seconded by Ms. Neff. Those voting:

18 Mr. Trefz.

19 CHAIRMAN TREFZ: Yes.

20 MR. GAYETSKY: Ms. Ross.

21 VICEO-CHAIR ROSS: Yes.

22 MR. GAYETSKY: Mr. Pax.

23 MR. PAX: Yes.

24 MR. GAYETSKY: Ms. Neff.

1 MS. NEFF: Yes.

2 MR. GAYETSKY: And Mr. McCoy.

3 MR. MCCOY: Yes.

4 MR. GAYETSKY: Motion carries.

5 That Variance is denied.

6 VICE-CHAIR ROSS: The Board makes the
7 following findings of fact on the Variance
8 requests from Section 22.05 Subsection (b) for
9 the EMC sign type.

10 We find that the property in
11 question will yield a reasonable return
12 without the Variance. The Variance is
13 substantial at 100%. The essential character
14 of the neighborhood would be substantially
15 altered as a result of Variance. The property
16 owner purchased the property with knowledge of
17 the zoning restriction.

18 And based on those factors, I move
19 to deny Case No. VA-CU-25-04, for the property
20 located at 6691 Artesian Run, Lewis Center,
21 Ohio, 43035, seeking an Area Variance from
22 Section 22.05(b) to allow a monument sign with
23 Electronic Message Center, EMC, along U.S. 23
24 along -- I'm sorry, as shown in Exhibits 1

1 through 4 of this report, on an area zoned
2 Planned Commercial and Office (PC).

3 CHAIRMAN TREFZ: I'll second.

4 MR. GAYETSKY: Motion made by Ms.
5 Ross, second by Mr. Trefz. Those voting:

6 Mr. Trefz.

7 CHAIRMAN TREFZ: Yes.

8 MR. GAYETSKY: Ms. Ross.

9 VICE-CHAIR ROSS: Yes.

10 MR. GAYETSKY: Mr. Pax.

11 MR. PAX: Yes.

12 MR. GAYETSKY: Ms. Neff.

13 MS. NEFF: Yes.

14 MR. GAYETSKY: And Mr. McCoy.

15 MR. MCCOY: Yes.

16 MR. GAYETSKY: Motion carries,
17 Variance is denied.

18 VICE-CHAIR ROSS: The Board makes
19 the following findings of fact on the
20 Conditional Use request for a monument sign.
21 The proposed use is of such a nature and
22 designed to be constructed, operated and
23 maintained in such a manner that it would not
24 be harmonious and appropriate with the

1 existing or intended character of the general
2 vicinity, and would change the essential
3 character of the same area. The proposed use
4 will not be consistent with the objections of
5 this zoning resolution, the Orange Township
6 Comprehensive Plan, and the proposed use will
7 not be in the interest of the public health,
8 safety and morals.

9 And based on those factors, I move
10 to deny Case No. VA-CU-25-04, for the property
11 located at 6691 Artesian Run, Lewis Center,
12 Ohio 43035 seeking a conditional use to allow
13 for a monument sign in the area zoned Planned
14 Commercial and Office (PC).

15 MS. NEFF: Second.

16 MR. GAYETSKY: Motion made by Ms.
17 Ross, seconded by Ms.Neff. Those voting:

18 Mr. Trefz.

19 CHAIRMAN TREFZ: Yes.

20 MR. GAYETSKY: Ms. Ross.

21 VICEO-CHAIR ROSS: Yes.

22 MR. GAYETSKY: Mr. Pax.

23 MR. PAX: Yes.

24 MR. GAYETSKY: Ms. Neff.

1 MS. NEFF: Yes.

2 MR. GAYETSKY: Mr. McCoy.

3 MR. MCCOY: Yes.

4 MR. GAYETSKY: Motion carries, the
5 Conditional Use request is denied.

6 - - -

7 MR. GAYETSKY: At this time, we
8 will go into our item of New Business. Let me
9 grab the Staff Report and take it from there.

10 So this New Business item is a
11 Variance case VA-25-06. This is
12 Applicant/Owner C. David Johnson, William
13 Karkula, the owner. The site that is at the
14 address 5424 Maple Drive. This particular
15 parcel is a .274 acre lot. The zoning here is
16 Single Family Planned Residential District.
17 And the request is seeking an Area Variance
18 from Evans Farm Rezoning Cases, through all
19 the cases, the latest being ZON-24-04 Evans
20 Farm due to a discrepancy in the Development
21 Plan regarding -- I'm sorry, for the lot where
22 this is proposing a porch to be encroaching
23 into a required setback of 15 feet.

24 So the applicant is requesting an

1 Area Variance from Rezoning Case ZON 24-04
2 (and all of the previous amendments) of Evans
3 Farm to allow for a front setback of the home
4 to be set back 10 feet and 0 inches and
5 encroach 5 feet into a 15-foot front yard
6 setback in an area zoned Single Family Planned
7 Residential District. The lot is currently
8 undeveloped, and the applicant applied for new
9 home build permit on 5/8/2025, which is
10 currently in pending status.

11 The Evans Farm Development Plan
12 states that plots greater than or equal to 90
13 feet in width have front setback requirements
14 of 15 feet. Furthermore, the covered porch
15 area is subject to the setback requirement.
16 This is the closest point to the right-of-way
17 edge and serves as the initial measuring point
18 to the home, which is proposed to be 10 feet
19 setback. The plat specifically classifies the
20 subject lot of parcel lot 8997 as equal to or
21 greater than 100 feet in width. And you'll
22 see that in Exhibit 2. The subject property
23 is located at 5424 Maple Drive, lot 8997, and
24 it's owned by William and Louise D. Karkula.

1 All right. The surrounding area,
2 this is a, looking towards the north, this is
3 all zoning districts actually in all
4 directions are Single Family Planned
5 Residential District. The land use to the
6 north is Maple Drive right-of-way, and Single
7 Family Residences. To the south, Single
8 Family Residences. To the east has also Maple
9 Drive right-of-way, as it kind of wraps
10 around the parcel, and Single Family
11 Residences and undeveloped land and owned by
12 Evans Farm. And to the west, the land use
13 includes Single Family Residences.

14 So we put a little arrow to
15 identify the parcel that is highlighted. You
16 can see the larger right-of-way, Lewis Center
17 right-of-way on the south side of this
18 zoomed-out map. And South Old State Road on
19 the east portion.

20 All right. So the zoomed-in view,
21 this is a currently undeveloped lot. So these
22 other parcels immediately in the area are also
23 undeveloped. Others have ones under
24 construction, and several do have completed

1 residences.

2 Moving into the Staff Review.

3 This is an Area Variance from Rezoning Case
4 ZON-24-04, Evans Farm, and all previous
5 amendments. Front yard setback requirement
6 for this particular lot, based on its lot
7 width, is, and it's 8997, is 15 feet total
8 length, total setback.

9 So, the rezoning text specifies
10 that front setbacks are measured from "an
11 internal public right-of-way." The property
12 only has public right-of-way frontage on Maple
13 Drive, establishing the front setback along
14 this road. The width of this property is
15 technically -- oh, and this is a
16 clarification. This lot is actually over 100
17 feet in width. Those are notes that I needed
18 to correct. So the 15 front -- 15 foot front
19 setback needs to be enforced on this
20 particular lot because it's over 100 feet in
21 width, so sorry for the typo there. We would
22 like to note that the home being proposed on
23 this lot complies with all the other setbacks.

24 So, Exhibit 1 includes the Site

1 Plan. You can see the porch extending 5 feet
2 into the required 15 foot setback, and I
3 believe, yeah, we will zoom in on the next
4 Exhibit. And the lot length specifically here
5 is labeled as 197.76 feet on the plat. And as
6 a result, the lot is categorized as a greater
7 than 100 foot lot subject to the 15 foot
8 setback requirement. Just as a general
9 universal note, that plat setbacks, as
10 compared to the zoning setbacks, are for
11 reference purposes. They are not binding. So
12 just for your clarification there.

13 As stated, the site plan zoomed-in
14 version is in the next Exhibit. This is
15 labeled to show where that 10 foot front edge
16 of the porch is located. You can see the
17 distance between those two dotted lines is
18 that 5 foot encroachment and the 5 foot
19 barriers. Exhibit 3 is just the plat, which
20 was described a couple times. This is from
21 Evans Farm, Section 2, Phase D, Part 1. And
22 that measurement of 197.76 feet width for the
23 lot. And Exhibit 4, so you may -- those of
24 you who are here think it was a couple, two or

1 three months ago, had seen a similar lot and
2 we reference the same plat. So this is a bit
3 of a deja vu for you, with the difference
4 being the lot width. I did want to highlight
5 for you where the plat shows that this is Lot
6 8997, building setback being listed at 15
7 feet, highlighted as well.

8 VICE-CHAIR ROSS: So is this
9 something we have to look forward to in the
10 future? (Laughter.)

11 MR. GAYETSKY: I wish I could
12 predict the future with accuracy. I don't
13 have a comment.

14 So following is the Board Analysis
15 Criteria for your consideration with example
16 Motions.

17 MS. NEFF: Eric, why is there not
18 a percentage calculated?

19 MR. GAYETSKY: I think essentially
20 we're talking about the 5 feet out of the 17
21 feet, so it would be in the neighborhood of 30
22 --

23 CHAIRMAN TREFZ: 33.

24 MS. NEFF: Yeah, I was just making

1 sure I wasn't leaping to the wrong conclusion
2 there. Okay. Thank you.

3 CHAIRMAN TREFZ: Comments from the
4 Applicant?

5 MR. JOHNSON: David Johnson, 8965
6 Cove Avenue. I have been sworn in.

7 So, this lot is one of the two or
8 three that has these unusual circumstances
9 because of the radius. It does put that extra
10 width. What the homeowners are trying to do
11 is have their porch similar distance to the
12 sidewalk. I mean, 55% of the house is there,
13 which is between 8 and 10 feet. And because
14 of the extra setbacks that are required on
15 this lot, they're not able to do that.

16 There's also a more extreme side yard from 5
17 foot -- or 6 foot to 10 foot, but also brings
18 your buildable area down, especially in this
19 spot.

20 So they're just -- they're wanting
21 their porch to be more of a usable depth.
22 Without the 5 foot Variance, we're just a hair
23 over 5 foot, which becomes more of a
24 decorative porch than a functional porch,

1 which the whole big premise of Evans Farm is
2 front porch living. The wife of the couple is
3 disabled. She's in -- couldn't bring a
4 wheelchair, so a lot of the house has bigger
5 floor plan areas for her to get around. And
6 there's also a ramp that's designed into the
7 porch with the extension so that she has more
8 of an intimate relationship to that front
9 porch living. She can socialize and have a
10 ramp on the back or another location, and she
11 really wants to do a lot of socializing and
12 living on that front porch, which is why
13 they're moving from Illinois to Ohio to be
14 closer to the kids and enjoy the neighborhood
15 concept of Evans Farm. So I just feel like
16 the 5 foot addition makes their house much
17 more functional and puts it in line with the
18 majority of the other porches in their
19 relationship and sidewalk from their front of
20 their porch to where the majority of their
21 neighbors walk by and go about their day and
22 stuff. So, any questions or comments?

23 MR. MCCOY: Your layout there to
24 the left, is that the driveway?

1 MR. JOHNSON: That is correct.

2 MR. MCCOY: How big is that?

3 MR. JOHNSON: The driveway, it's a
4 12 foot curb cut per Evans standards. And
5 typically, when it's a non-alley lot, you'll
6 have the strip of either pavers or grass.

7 MR. MCCOY: Does it have a
8 concrete pad on it?

9 MR. JOHNSON: You will have a
10 concrete pad outside your doors, that is
11 correct.

12 MR. MCCOY: Also, where you have
13 the pad out back, how wide is that?

14 MR. JOHNSON: The pad is -- well,
15 the garage is 28 feet off the setback, so that
16 pad is 25 feet, giving them a 3-foot strip of
17 landscaping. Also keep in mind that when they
18 had -- when the homeowner went to look at this
19 lot, that the realtor pulled up on the portal
20 the regulating plan, which a lot of the
21 residents, when they first started planning
22 their house, would look at that see what their
23 driveway typically -- it's usually not
24 required, but recommended. There's a street

1 required, or trees required over there.

2 I'm actually one of two town
3 architects for Evans Farm. Obviously, I can't
4 review my own work, so the other architect at
5 Evans Farm reviews my submittals. And it's
6 obviously a personal house that I designed
7 with the client, and all the homeowners go to
8 that regulated plan to figure out where the
9 setbacks are and everything. You can clearly
10 see that on that regulated plan that it does
11 not necessarily show the setback differences
12 either the side yard or the front yard. If
13 you follow that graphic, it's showing a 10
14 foot setback that without them going through
15 the minutia of the fine print on the plat.
16 It's something that was a surprise to them
17 when we started working on this plan.

18 MR. MCCOY: So whose fault is
19 that?

20 MR. JOHNSON: I would have to go
21 back to the developer to have -- for them to
22 update their regulated plan to match their
23 approved plan, I guess.

24 MR. MCCOY: My point being that

1 the purchaser has a remedy available for the
2 mistake. It's not their mistake that they are
3 remedying against somebody for not knowing
4 that number based on the statement in this
5 4(e), the owner that purchased the property
6 had knowledge of the zoning restrictions. So
7 my question about the driveway was, can you
8 get your 5 feet by this shifting of the house
9 and still have the --

10 MR. JOHNSON: The house itself has
11 a 35-foot requirement where it's different
12 than the garage.

13 MR. MCCOY: Okay.

14 CHAIRMAN TREFZ: So the house is
15 compliant now?

16 MR. JOHNSON: The house is
17 compliant for all the local zoning
18 restrictions. We're just asking that our
19 porch is commensurate to the other porches in
20 the neighborhood. Just in that section I'm
21 asking for a Variance, like on the house on --
22 we're not trying to set that house at 10 foot,
23 you know, being compliant with everything
24 else.

1 MR. MCCOY: How big is this house?

2 MR. JOHNSON: It's about -- it's a
3 ranch, and it's about 2,300 square feet.

4 CHAIRMAN TREFZ: Other questions?

5 MS. NEFF: No.

6 MR. PAX: No.

7 CHAIRMAN TREFZ: Thank you. Does
8 someone want to make a Motion?

9 While the Variance is substantial,
10 it's about 33%, you're telling us that the
11 essential character is that almost all the
12 other porches are 10 feet from --

13 MR. JOHNSON: Correct. Porches
14 usually go up to that 19-foot line.

15 CHAIRMAN TREFZ: Okay.

16 MR. PAX: That's a major factor to
17 me, at least.

18 CHAIRMAN TREFZ: Yeah.

19 MR. PAX: And so the main facade
20 of the home is still back 15 feet. We're
21 talking about an encroachment with the porch
22 and roof, obviously, but then mostly it's the
23 low walls that aren't as much an obstacle or
24 blocking from the nature of that setback, that

1 15 foot intent. So at least that's a factor
2 in my mind, at least my determination.

3 CHAIRMAN TREFZ: Okay.

4 MR. PAX: I would be prepared to
5 make a Motion.

6 CHAIRMAN TREFZ: Okay.

7 MR. PAX: Based on factors
8 presented by the applicant and discussion
9 thereto, I move to approve Case No. VA-25-06,
10 for property located at 5424 Maple Drive,
11 Lewis Center, Ohio seeking an Area Variance
12 from the Rezoning Case No. ZON-24-04 Evans
13 Farm to allow for a home to encroach 5 feet 0
14 inches into the 15-foot front yard setback in
15 an area zoned Single Family Residential
16 District.

17 VICE-CHAIR ROSS: I'll second.

18 MR. GAYETSKY: Motion made by Mr.
19 Pax, second by Ms. Ross. Those voting:
20 Mr. Trefz.

21 CHAIRMAN TREFZ: Yes.

22 MR. GAYETSKY: Ms. Ross.

23 VICE-CHAIR ROSS: Yes.

24 MR. GAYETSKY: Mr. Pax.

1 MR. PAX: Yes.

2 MR. GAYETSKY: Ms. Neff.

3 MS. NEFF: Yes.

4 MR. GAYETSKY: And Mr. McCoy.

5 MR. MCCOY: No.

6 MR. GAYETSKY: Motion carries.

7 The Variance is approved.

8 MR. JOHNSON: Thank you very much.

9 - - -

10 (Legal training by Ms. Donnan.)

11 MR. GAYETSKY: Well, we do have

12 one item left. I don't mean to burst your

13 bubble. (Laughter.)

14 If there isn't a consensus about

15 wanting to move ahead with March minutes, I

16 understand, but I did send those out with the

17 packets, so feel free to let me know where you

18 stand.

19 MS. NEFF: How much feedback did

20 you -- I did not review them yet.

21 MR. GAYETSKY: Okay. Nobody got

22 that to me.

23 VICE-CHAIR ROSS: I sent it back

24 but it was beyond the deadline.

1 MR. GAYETSKY: Oh, okay. Maybe it
2 was beyond my awareness.

3 VICE-CHAIR ROSS: That's okay.

4 MR. GAYETSKY: So thanks for
5 getting those to me. I'll review those.

6 MS. NEFF: Can we please move
7 those to the next meeting?

8 MR. GAYETSKY: Sure. We will not
9 make any Motion on that for tonight, and
10 hopefully, of course, I'll have those April
11 minutes for you in advance.

12 CHAIRMAN TREFZ: All right. Is
13 there a Motion to adjourn?

14 VICE-CHAIR ROSS: I so move.

15 MR. PAX: Second.

16 CHAIRMAN TREFZ: All in favor?

17 MEMBERS: "Aye."

18 CHAIRMAN TREFZ: Thank you one and
19 all.

20 (Thereupon, the proceedings
21 concluded.)

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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 30th day of June 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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