



**Planning and Zoning - Minutes
Wednesday, February 05, 2014**

CITY OF CIRCLEVILLE
PLANNING AND ZONING COMMISSION
104 EAST FRANKLIN STREET
CIRCLEVILLE, OH 43113
(740) 477-8224

WEDNESDAY, FEBRUARY 5, 2014
CITY HALL COUNCIL CHAMBERS

MEETING MINUTES

MEMBERS PRESENT

Al Sedlak
Don McIlroy
Mike Combs
Terry Leasure
John Ankrom
Marsha Griebel Graham
Bob McCrady
Valerie Goeller, Clerk

VISITORS PRESENT

Stanley W. Young III
Alan B. Peczkowski

Chairman Al Sedlak called the meeting to order 6:00 p.m.

The first item on the agenda was approval of January's Meeting Minutes. Al Sedlak stated on page 11, where I stated "Only to possess and formable issuance." Should actually read, "Only to possess and form a well-regulated militia." Terry Leasure motioned to approve the minutes with the above noted correction, seconded by Bob McCrady. All in favor, motion carried.

The next item on the agenda was an Amendment to Variance #38-13, as requested by Eye Specialists of Ohio, 210 Sharon Road, Suite B, for their property located at 24200 US Route 23 South, to amend the minimum distance from a right-of-way for an Off Premises Sign from 50' to a possible minimum of 1', in an area zoned LI, Limited Industrial District.

Alan Peczkowski was sworn in and stated when this property is sold and they start construction the sign would need to be moved. The picture I provided shows the sign being 50' from both rights-of-way. We would have to wait until construction was done before we

could put our sign back up. We would like to move the sign closer to the corner. The next picture I brought shows in the middle of the side street where it reads UGT (Underground Telephone.) It does not go across the field as I originally thought, it actually takes a hard left and comes up toward our building. This will interfere with where I thought we could put our sign. Because of having to move the sign, the sign company suggested instead of putting up two post, using a slab with bolts. This is similar to the other signs on the interstate. Because of that we have to look out for more underground cables. The next picture shows where we are looking to put the sign. These two pillars are post where I believe RCA had their sign. We are looking to put ours further in then what was previously there. This is the pole for the signal, that is a little beyond the easement so we are looking at about 10' to 12' here and 20' from here. These pictures came from the surveyor. When the weather is better I will have them go back out and mark things for us. In this picture, this stake is the underground power line that AEP marked for us.

Don McIlroy stated will your sign be located to the east where it is marked UGT?

Mr. Peczkowski stated right.

John Ankrom stated you stated 20' and 12' off the line. What lines are you talking about?

Mr. Peczkowski stated roughly 12' off of the Route 23 line and 20' off the side road which is actually City of Circleville property. I think it will actually be more like 10' to 12' both ways.

John Ankrom stated I assume the heavy black line is indicating the right-of-way line?

Mr. Peczkowski stated that is 50' and 50'.

John Ankrom stated 50' is what the required setback is.

Mr. Peczkowski stated I am asking for 1' because of all the cables under the ground. If you limit me to 12' that may be right on top of a cable so I need to be able to move a little bit. I don't want it right in that corner because I want to move it back as much as I can.

Marsha Griebel Graham stated are there more underground cables back in here?

Mr. Peczkowski stated no, just what is marked. AEP marked the power lines and they are not indicated in this picture. Time Warner is going to be putting in cables and they will run them along these flags and here is the underground telephone.

Bob McCrady stated what are these post?

Mr. Peczkowski stated those are where are temporary sign was located.

Bob McCrady stated there is another sign right up here at the entrance. It appears to be a sign for lots for sale.

Mr. Peczkowski stated that is on the other side of the street.

Al Sedlak stated we approved that sign.

Bob McCrady stated why can't you take it further north toward the side street and keep it the same distance from Rte. 23?

Mr. Peczkowski stated ideally I would like it as close to Rte. 23 as possible for traffic being able to see it. With traffic moving at 60 mph and we deal with elderly people that are visually impaired, we want it as close as possible so they can see it.

Al Sedlak stated if you move it more to the west it could be a line of sight problem for people coming out of the side road on to Rte. 23.

Mr. Peczkowski stated with the sign being 25' that shouldn't be a problem. The bottom of the sign will be 17'.

John Ankrom stated I am confused as to what you are asking for?

Mr. Peczkowski stated the request is for 1' from each line. I will probably not go that close, but I can't say with certainty that it's going to be 10'. I don't have the actual dimension from the sign engineers as to how big the foot print will be. I can't cover a power or phone line and will need to stay few feet off those lines also. The drawing is at a scale of 1"= 40'.

John Ankrom stated from the Rte. 23 paving turn lane is around 38' from the edge of pavement to the actual right-of-way line.

Bob McCrady stated I am okay with him going north within 1', but no closer to Rte. 23. That is creating a hazard if someone runs off Rte. 23.

John Ankrom stated another consideration here is the entrance to the current Thomson Property, the private side road. It needs to be improved with turn lanes and brought up to city standards if and when IRG develops the infrastructure on the Thomson Property. What that does to the width of the paving and potential construction in this area, I am not sure how wide it will be. Pushing this sign within 1' of that right-of-way line could present a problem when they develop that intersection to dedicate it as a public street. We need more than 1'. I am with Bob the further we can keep it off Rte. 23 right-of-way the better.

Mr. Peczkowski stated how about 10'?

Al Sedlak stated your original request was to vary the setback from 50' to 25' and you indicated you wouldn't need that but we approved you for 25'.

John Ankrom stated the old RCA sign appears that it was about 10' off the right-of-way line. How about we leave it at 25' off the US Rte. 23 line and 10' off the city property (private drive.)

Mr. Peczkowski stated if the utilities are in the way can I go further back, but no closer than the 25' and 10'?

All agreed that was fine.

John Ankrom motioned to approve the setback distance from 50' to 25' along the Route 23 right-of-way and 50' to 10' along the City of Circleville (private drive) line, seconded by Bob McCrady. VOTE ON MOTION: AL SEDLAK, YEA; DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA. 7 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Variance #1-14, as requested by Branham Sign Company,

Inc., 127 Cypress Street, Reynoldsburg, Ohio for Aldi Inc., 4400 South Charleston Pike, Springfield, Ohio to replace existing signage at 23455 US Route South and add two additional wall signs and to vary the already varied amount of signs allowed from 3 to 5 and the already varied amount of maximum signage allowed from 158.48 square feet to 259.08 square feet, in an area zoned GB, General Business District.

Stan Young, 2379 Hardesty N., Columbus, Ohio was sworn in and stated a lot of the Aldi's are going through some changes as far as their image goes. They are doing a lot of remodeling and part of that remodeling is updating their graphics package. They are trying to get across to the public that they are a food market. If you didn't know that and you were driving by the store and you saw the word Aldi you probably wouldn't know what they sold. As the store is remodeled they will be replacing the two wall signs that are square. They will be the same size, but have the new logo and colors. The second thing they are going to be doing is a face change in the existing freestanding sign. It read Aldi, it will now read Aldi Food Market. There is no change in size location with that respect. The only addition we are asking for this evening which does increase the amount of square footage is the two sets of letters that say Food Market. One will go on each elevation of the corner of the building. That is why we are requesting a variance.

John Ankrom stated are the food market signs internally illuminated with white letters?

Mr. Young stated yes, they will be LED.

John Ankrom stated is it the old package or current package they had aluminum letters that were out on the awning so they stood out in front of the building.

Mr. Young stated these project maybe 5" and flush against the side of the building. The beauty of LED lighting is that it is low voltage and produces almost as much as neon lighting, but consumes so much less energy and power. The benefit to that is it is greener and doesn't cost the store as much to operate. We all know that grocery stores are on very small margins. They have to rely on mass traffic in order to be profitable.

Everyone agreed it was a good project.

Marsha Griebel Graham motioned to approve Variance #1-14 as requested, seconded by Terry Leasure. VOTE ON MOTION: DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA; AL SEDLAK, YEA. 7 YEAS, 0 NAYS, MOTION CARRIED.

John Ankrom stated informally I wanted to bring up that we have heard, but received no formal request, that Daryl Wolfe who owns the previous Solid Rock Offices on North Court Street adjacent to Turner Alignment and Kline Vision Center potentially has it sold to PARS. They want to put in a rehabilitation clinic similar to what he did on Highland Ave for women, but this will be a facility for men. It is currently zoned General Business (GB.) Most of you were around when Barry did the work on Highland Ave. Do we think it fits in with the GB District? I am not sure if this will be residential or outpatient. He has not contacted the City office, but has contacted Chad at my architectural office. We did the drawings for the Highland Avenue location.

Marsha Griebel Graham stated on Highland Avenue they came in as a Non-Conforming Use.

John Ankrom stated they have an outreach group and patients that spend the night there. I have received a couple complaints from people on Park Place and Rosewood Ave where they are seeing more foot traffic people walking to visit a patient.

We already received a complaint from the neighbor on North Court Street, they are against them moving in there. The only use I saw in the GB District was under Personal Services. It allows for the care of the person and his or her personal effects. It further describes medical and dental clinics, it says nothing about alcohol or drug rehabilitation.

Al Sedlak stated in some districts group homes are a permitted use. The AR, RMH and LB Districts allow for group homes.

John Ankrom stated if we determine it fits in the GB District, we better be prepared to defend it and vice versa.

Valerie Goeller stated page 3-2, Section 12.02.05 Similar Use, should be reviewed.

John Ankrom stated letter A reads such a use isn't listed as a permitted or conditional use in another zoning district. And it is. That shoots down the similar use argument.

Marsha Griebel Graham stated that the Kline and Wolfe properties share a driveway, there is only one curb cut.

Don McIlroy stated with the women's facility they are successful working with them. The problem is when they leave, they go back into the relationship with the male who has not gone through the program and then they immediately get back into the drug habit. This program will take the two of them separately and try to rehabilitate them.

Everyone agreed they felt the use was a stretch for the GB District.

Marsha Griebel Graham motioned to adjourn, seconded by Mike Combs. All in favor, meeting adjourned.