



**Planning and Zoning - Minutes
Wednesday, March 06, 2013**

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

Meeting Minutes
City Hall Council Chambers
March 6, 2013

Members Present

Bill Mosher
Don McIlroy
John Ankrom
Marsha Griebel Graham
Al Sedlak
Valerie Goeller, Clerk

Visitors Present

Jim Scherer
Bob Kessler
Chad Conley
Michael Pelcic
Bob Hively

Chairman Bill Mosher called the meeting to order at 7:00 p.m.

The first item on the agenda was approval of February's Meeting Minutes. Don McIlroy motioned to approve as submitted, seconded by Al Sedlak. All in favor, motion carried.

The next item on the agenda was Variance #2-13, as requested by Jim Scherer, 8982 Dutton Drive, Twinsburg, OH for IRG/ORA, 4020 Kinross Lakes Parkway, Richfield, OH to erect a 8' x 8', two sided, temporary real estate sign in front of the former Thomson Consumer Plant, located at the intersection of US Rte 23 and Circle Lane and to vary the maximum square footage allowed from 16 square feet to 128 square feet and the front yard setback from 25' to 20', in an area zoned LI, Limited Industrial District.

Mr. Jim Scherer with A Sign Above was sworn in and stated they are requesting to erect a two-sided, 8' x 8', sign. The reason for the request for variance is because the lay of the land. There are several products the real estate agent is trying to sell, one being the large warehouse/office building having rail access. Given where the land is located and with the speed limit along US Rte 23 and the size of the property, they need a larger sign. I believe this to be necessary. There are some smaller signs presently, but those are what are allowed by code which isn't big enough.

Bill Mosher stated will those existing signs come down?

Mr. Scherer stated yes. This sign is a replacement for those signs. Our application indicated the existing signs would come down if approved.

John Akrom stated the current sign is 20' off the right-of-way. Our code requires 25', 5' doesn't seem like it would make a lot of difference out there. Can you push it back by 5'?

Mr. Scherer replied that is not a problem.

John Ankrom stated I don't think we would have a problem granting a variance, but you wouldn't need a variance if you moved it back 5' additional feet from the road.

Al Sedlak stated it makes sense; you can't even read the sign out there now.

Mr. Scherer replied it is a safety factor too.

Marsha Griebel Graham motioned to approve Variance #2-13 amending it to delete the variance request for a setback from 25' to 20', seconded by John Ankrom. VOTE ON MOTION: BILL MOSHER, YEA; DON MCILROY, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; AL SEDLAK, YEA. 5 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Variance #3-13, as requested by Kessler Sign Company, P.O. Box 785, Zanesville, OH for Lloyd and Diann Helber, P.O. Box 2550, Lancaster, OH to install signage for Pizza Cottage, 23401 US Highway 23; and to vary the already varied amount of maximum signage allowed from 165 sq. ft. to 392 square feet and the maximum number of signs allowed from 4 to 11, in an area zoned GB, General Business District.

Bob Kessler of Kessler Sign Company was sworn in.

Bill Mosher stated thank you for a very thorough submittal and accounting for all of the signs.

Bob Kessler stated thank you. I believe everyone has a plot plan. Sign "A" is an existing sign. We intend to make it 8' less than what is existing. Our intention is to have an electronic message center where you see the blank space under Pizza Cottage. Sign "B" will be on the front of the building indicating they have pizza, wings, spaghetti and salad. They are simple channel, AED letters. These are signs you see at any given shopping center. Sign "C" is an existing placement of a sign that is in the cove area. Our intent is to identify it as Pizza Cottage. Sign "D" and Sign "E" are a set of channel letters that are also LED lit and identify Pizza Cottage on both sides of the drive thru area. Sign "F" is an existing wall sign over their back door. It's a sign mostly for drivers delivering a product to them. Sign "G" is an existing directional sign, letting people know how to get into the parking lot.

Bill Mosher stated Sign "G" is a two-sided sign. Your application will need to be adjusted to add two additional square feet. You only accounted for one side.

Mr. Kessler stated that is noted. Sorry about that. As we try to identify the building, we are trying to give ambiance to the building. As they are on a major route, the object is to get people off the highway, as well as the residents of Circleville.

Bill Mosher stated their request includes the free standing sign out front. Those are already included in this variance request for square footage.

John Ankrom stated the fact that it occupies a corner lot and exposure on three sides, it seems like a large amount of signs, but it's appropriate for what he is doing.

Al Sedlak motioned to approve Variance #3-13, with the amendment that the allotted amount of signage allowed is 394 square feet, seconded by Don McIlroy. VOTE ON MOTION: DON MCILROY, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; AL SEDLAK, YEA; BILL MOSHER, YEA. 5 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Conditional Use Permit #2-13, as requested by Kessler Sign Company, P.O. Box 785, Zanesville for Lloyd and Diann Helber, P.O. Box 2550, Lancaster, OH to allow for an 8' x 4' Digital Display Sign for Pizza Cottage, 23401 US Highway 23, in an area zoned GB, General Business District.

Bill Mosher stated can you explain what you mean by Digital Display Sign?

Mr. Kessler stated a Digital Display Sign is made up of LED units and they are 19mm. 19mm means they are 19mm apart from each little diode that's in this particular sign. This sign is controlled by their office in Lancaster, Ohio. It is sent over a telephone line and controlled there. They have a screen in their control bank and they run three or four signs like this. Basically it will display pizza, specials and community events. The idea is to keep the sign up for a minimum of eight seconds.

Bill Mosher stated that answers one question of mine. So the intent is not to have a fully animated sign.

Mr. Kessler replied no. In some areas a fully animated sign would work, but they will have cars going by at 55 miles per hour.

Bill Mosher stated that intersection has historically been a dangerous intersection.

Mr. Kessler stated it wouldn't work. You wouldn't have time to see it all. The State of Ohio says you must have your message up there for a minimum of eight seconds. That is what Lloyd will do, after every eight seconds a new message will come up.

Bill Mosher stated we have two Digital Display Signs in the south end that is further down US Rte 23 that is fully animated. We allowed that with a lot of trepidation, but it has worked out as far as we know. McDonalds has a sign that is on Court Street and we requested the images to be held for a minimum of 30 seconds. They agreed to this and when they installed it they didn't do what they agreed to. We had to send them a reminder of what they agreed to and asked that they conform.

Mr. Kessler stated there have been studies done on this. What they have found out is that a human attention span is seven seconds. ODOT Standards are eight seconds. Our intent is the ad will come up, stay there eight seconds and then the new ad will come up. Your eye doesn't even see the change.

Al Sedlak stated if they are controlling other signs, is it possible the signs are on different times to change?

Mr. Kessler stated you can do pretty much anything with a computer. It would make it harder on them.

Al Sedlak and John Ankrom both agreed they are comfortable with eight seconds.

Marsha Griebel Graham stated where did thirty seconds come from for McDonalds?

Bill Mosher stated I think it was a number thrown out by one of the members.

Mr. Kessler stated you may want to put it in your code. Almost across America and just about everywhere you go, it's eight seconds. I've seen seven seconds, but nothing less than.

John Ankrom motioned to approve C.U.P. #2-13, seconded by Marsha Griebel Graham.
VOTE ON MOTION: JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA;
AL SEDLAK, YEA; BILL MOSHER, YEA; DON MCILROY, YEA. 5 YEAS, 0 NAYS,
MOTION CARRIED.

The next item on the agenda was Variance #4-13, as requested by Chad Conley, Ankrom Architects, 1301 Maple Drive, Circleville, for Pickaway County Board of Development Disabilities, 200 East High Street, to erect an entryway with brick columns and a vestibule addition; and to vary the front yard setback from 25' to 0.15' for the columns and 2.33' for the vestibule; the side yard setback for the covered porch from 50' to 21.08', in an area zoned SU, Special Use District.

Chad Conley of Ankrom Architects was sworn in.

Bill Mosher stated he would like to discuss the variances one at a time.

Chad Conley stated the vestibule is going to be the upfront and centered addition. It is giving the board a nicer entry, a nice focal point to the entry of the building. The entry is now recessed and anyone from this town knows it as High Street Elementary School. We are trying to get away from the school look and more of up to date office building. We want to dress up the front and we feel adding an entry feature with revamping the exterior and adding a new roof will dress it up.

Bill Mosher stated what do you mean by 0.15' setback?

Chad Conley stated that is to the brick columns. The actual property line is only 6' off the front of the building. You have 17' from the building to the sidewalk. That property line is already crowded. We are going to pop out the vestibule 2' 4" from the building that is going to enter directly into the building. After that we are going to come out two feet from there and add two, 2' x 2' brick columns. The property line is 6' from the building which is very deceiving if you look at the property as a whole.

Al Sedlak stated you are only coming out 2.5' from the existing building.

Chad Conley stated yes, 2.5', then a bit of a porch on that. It is minimal. The vestibule looks bigger than what it actually will be. It will be 2' to 4' smaller than shown.

John Ankrom stated the setbacks in the SU District are odd and that there are none. It is the average of either building on either side of the structure is what sets the setbacks. In this case you don't have a structure on either side. There was no guide to go by for the setbacks.

Bill Mosher stated as far as the area in the back, the porch is captured by the building.

Chad Conley stated correct, you aren't projecting out any further to the north than what is already existing and you are tucked in on the east side. It is just giving a covered entry for them.

Al Sedlak motioned to approve Variance #4-13 as requested, seconded by Marsha Griebel Graham. VOTE ON MOTION: MARSHA GRIEBEL GRAHAM, YEA; AL SEDLAK, YEA; BILL MOSHER, YEA; DON MCILROY, YEA; JOHN ANKROM, ABSTAIN. 4 YEAS, 0 NAYS, 1 ABSTENTION. MOTION CARRIED.

The next item on the agenda was an informal discussion as requested by Ed Peters, to utilize a strip of railroad right-of-way between Mill Street and approximately 60' off the old Crane Plastics Building for the purpose of parking semi trailers for exterior storage and future office space, in an area zoned LI, Limited Industrial District.

Mr. Peters was not present.

John Ankrom stated I agreed to present this for Mr. Peters. He would like to pursue placing some storage trailers off of property owned by the railroad that he has leased. Our Zoning Code says that if the property is going to be changed in terms of use or vacant ground to be used it requires a Zoning Permit. When he brought this to me, I felt he needed a Zoning Permit. He really didn't want to go through the process, pay the fee if this wasn't going to be something that would be approved. That's when I agreed to present it informally to get your take on this. It is a unique situation. Gary Kenworthy couldn't think of a situation where we issued a Zoning Permit on right-of-way still owned by the railroad where they wanted to put a private use on it. Mr. Peters didn't give me specific dimensions. He is abutting toward the north side a residential district. A part of the LI classification talks about 100' separation from a residential district to any structure or parking area. I see a dimension of 50' and 50' and then there is a jog southward of maybe 25'. It is approximate 125' wide at a maximum. If he has a 100' wide separation from the residential to the north, it appears anything he does on that property will require a variance. It will have to come before this board to be approved. I am trying to give him a heads up of how this board feels approving that type of use for this location.

Bill Mosher stated how many semitrailers does he plan to bring in?

Mr. Ankrom stated he said up to 10 semitrailers. He would have miscellaneous material stored in them. There would be no cab, just trailers with storage. Given the amount of vandalism in that area, he thought he might want to put up a fence around the property. At some point he may even add a future office building on the property. This is all on leased space. The lease he had with the railroad does not preclude any type of use like this. It was a five year lease with options to renew. It could be there for a lengthy amount of time.

Don McIlroy stated I have a few problems with this. Firstly, these trailers age quickly. The city has spent a great deal of time and money cleaning up blighted properties and even taken down 28 homes that were eyesores. I don't see this as a positive move in that area. I don't like the idea of office space out of a trailer. To me this could become a nuisance property a lot quicker than anything else. We deal with a lot of nuisance properties and we don't need to add to that.

Marsha Griebel Graham stated she too had a problem. The building that it will be sitting next to, Crane Plastics is back on the market. I also have concern for the residents on Union

Street. I believe there is a better space that they can find to put trailers than this location. I sympathize with him and I understand what he is trying to do, but I don't think this is the proper location to do this. I can't think offhand where he could do that, but we have several vacant areas that would be better suited.

John Ankrom stated but those places are not under his control. I don't know what he had to pay for this lease. He has spent time getting himself to this point. As he has lost control of other properties, this is what he is down to.

Don McIlroy stated as Marsha explained the Crane Plastics Building is back on the market. The new owners may not find this appropriate next to their building.

John Ankrom stated in defense to the proposal, the Crane Plastic Building is zoned Limited Industrial and so is this property. The types of allowed uses in the LI District include exterior storage.

Don McIlroy stated does it specify semitrailer?

John Ankrom stated no, but it doesn't exclude it either. To me it fits what you are allowed to do in an LI District. The problem is under Industrial Service it talks about examples that include storage and salvage; it also talks about exterior storage. The problem is the distance between residential districts. Where he is proposing he needs 100' away from any residential district. It takes the property out of the equation because of the narrowness of the property. I am sure there were semitrailers parked at Crane Plastics. I know Circleville Twp has struggled with the guy on Island Road in the area of Perfection One. He has all those trailers parked around it. They have tried for a long time to get him to clean that up.

Don McIlroy stated maybe he needs to come to us and explain a little more detail. That would be helpful.

The last item on the agenda was an informal item to review proposed Zoning Fee increases.

John Ankrom stated the Zoning Fees we charged last year were around \$42,700.00. There are a number of things we do not charge for that takes a significant amount of time and effort. Those items are listed at the bottom of the page. Usually I know our fees are too low when people chuckle when I tell them what they are. We feel we need to get our fees up to where they should be. The right hand side shows the increase we are proposing. We want to get a feel from the Commission what you think. It's not so much generating additional dollars as it is to cover our time involved. There hasn't been an increase since 2004.

All members agreed it was time for an increase and what is being proposed is not obtrusive.

Don McIlroy motioned to adjourn, seconded by John Ankrom. All in favor, motion carried.