

BOARD of ZONING APPEALS MEETING

February 20, 2019 7:00 P.M.

Meeting called to order. Roll call taken. Members present: Dorothy Kerr, Phil Gardner, Sandy Disantis and Bruce Denton, and Alicia Robson. Jim Spurrier was absent.

Secretary Shawna Burkham called for the Election of the Chair and Vice-Chair for the Board, both positions are for a one-year term.

Bruce nominated Dorothy to be Chair and Jim Spurrier to be Vice-Chair. Seconded by Sandy. A vote was held and it was unanimous to elect Dorothy as Chair and Jim Spurrier as Vice-Chair.

Motion was made by Phil to approve the Dec. 19, 2018 minutes. Sandy seconded the motion. Vote to approve by those present at that meeting was unanimous.

Dorothy announced that tonight's meeting will run no longer than 9:00 p.m. If there is any unfinished business at that time it will be continued at the next scheduled meeting on Wednesday, March 20, 2019 at 7:00 p.m. at the Berkshire Township Hall at 1454 Rome Corners Rd., Galena, OH 43021

People present who intend to speak to applications tonight were duly sworn in by the court reporter.

Business for the meeting:

- 1.) Application #19-009 by McDonald's Corporation, 2 Easton Oval, Suite 200, Columbus, OH 43219 for the McDonald's property located at 7352 State Route 37 E, Sunbury, OH, 43074, Parcel #417-230-01-010-000, 5.003 acres. Application is for a Variance for signage for the business. Property is zoned Planned Commercial.

Application is being presented by Rebecca Green of Permit Solutions and Jacob Alber from McDonald's USA

The McDonald's at 7352 St. Rt. 37 is applying for variances for signage because the business is doing a major remodel for the purpose of improving the business, with special focus on making the building and the site more ADA accessible. It is to be done in two phases and the signage variances will also be done in two phases, due to needing to obtain signage easements from the adjacent gas station land owner. The Applicant indicated that the McDonald's real estate people are working on this but have not completed the agreement, and have no firm date for when it will be done, nor do they have a contingency plan for the signage in the easement areas if easement is not granted.

Today they are presenting Phase One, and the four variances requested are for: approval of white backgrounds on the new LED pre-browse and menu signs, 2: The Wordmark sign on the building proposed will be 33 sq. ft. and our code allows only 25 sf, 3: The height of one sign which is on a primary wall, which in staff's opinion may not be a variance and 4: A request for an interim allowance for signage to exceed our code's allowance by 264 sf between the time Phase One is complete and Phase Two is complete. This is because signs which are schedule be removed will not be removed until after the Phase One signage is installed and the Phase Two signs (which are requested to be in the easements) can be installed.

Dorothy and the Board reviewed the seven questions from our zoning code that applicants must answer regarding their request. It was determined by the Board that the answers are acceptable.

During discussion, the Board expressed repeated concerns that the timelines for the Phases was open-ended and they explained they were not comfortable approving the Application to be done in two

phases. Their recommendation to the Applicant was that they complete the signage easement agreements and present the plan to the board as one project in total, with firm commitments as to what signs will be where and what signs will be removed and when.

Dorothy proposed a recess for the Applicant to discuss their options and the Board recessed for 10 minutes from 8:10 p.m. until 8:20 p.m.

The Applicant then requested their application be tabled until the next scheduled BZA meeting. Phil made a motion to approve the tabling Application #19-009 until March 20, 2019 at 7:00 p.m. at the Berkshire Township Hall and the motion was seconded by Dorothy. The vote was unanimous to approve tabling the motion.

Phil motioned to adjourn the meeting, seconded by Dorothy. Vote was unanimous to adjourn.

Respectfully submitted by,

Shawna Burkham

Secretary