

**City of Grove City
BOARD OF ZONING APPEALS
MEETING MINUTES
FOR: May 26, 2009**

Regular Meeting

Board Chairman Jeff LeVally called the Board of Zoning Appeals regular meeting to order at 7:00 p.m. at the Grove City Municipal Building, 4035 Broadway. Present were: Board Members Jeff LeVally, John Brant and Harold “Butch” Little; Planning and Zoning Coordinator Christy Zempter; and Asim Haque of Schottenstein, Zox & Dunn, representing the City. Also present were Tom Bentley of Sun Real Estate and Jerry Neal of First Baptist Church.

Motion was made by Mr. LeVally to approve the minutes of the April 27, 2009, regular meeting.

Seconded by Mr. Brant. VOTE: Brant, YES; LeVally, YES; Little, YES. **APPROVED.**

All who wished to address the board were sworn in at this time.

- 1.) **Hear the appeal of Bharat Patel, representing Holiday Inn Express, 3951 Jackpot Road,** for a variance from the requirements of Table 1135.12-II of Grove City’s Codified Ordinances to construct a parapet to accommodate new signage that would exceed the building height limit of 35 feet by 5 feet.

Tom Bentley of Sun Real Estate addressed the board on behalf of Bharat Patel. He explained that an application for a certificate of appropriateness to change the paint colors of the building had been submitted to and approved by the Building Division and that Holiday Inn had requested that the hotel change its signage as well. He further stated that if the new signage were placed in the current location, just above two windows on the top floor, the sign would illuminate into those windows. He said the applicant was requesting an increase in height of only the center parapet to accommodate the signage.

Mr. LeVally asked if the new sign would have a larger area than the existing sign, and Mr. Bentley responded that it would be slightly larger. Mr. LeVally asked if the proposed sign would meet code requirements, and Ms. Zempter responded that she had not yet received a sign permit application and didn’t know what the proposed square footage would be. She added that if the area of the sign exceeded code requirements, the applicant would have to appeal to the board for another variance.

Mr. LeVally asked if any of the other parapets would encroach upon the height limit, and Mr. Bentley said they would not. He told the board that the other parapets would be squared off but would not increase in height.

Mr. Little asked what the size of the sign would be, indicating that the size of the sign seemed to be different on the various elevations submitted with the application. Mr. Bentley responded that he did not have the measurements for the sign.

Mr. Brant said that his understanding was that the board was being asked to approve only the increased height of the parapet and not any variance for the signage. He asked Ms. Zempter if the applicant would have to appear before the board again if the area of the sign increased. She responded that the applicant would have to file an appeal for another variance if the increase exceeded the area allowed by code. If it did not, the signage would go through the normal sign application process.

Mr. LeVally noted that this building is across the street from a proposed development for which the board granted a building height variance at its last meeting, allowing a height of 16 feet above the code requirement.

Motion was made by Mr. LeVally to approve the appeal of Bharat Patel, representing Holiday Inn Express, 3951 Jackpot Road, for a variance from the requirements of Table 1135.12-II of Grove City's Codified Ordinances to construct a parapet to accommodate new signage that would exceed the building height limit of 35 feet by 5 feet.

Seconded by Mr. Little. VOTE: LeVally, YES; Little, YES; Brant, YES. **APPROVED.**

Mr. LeVally advised Mr. Bentley that while he could apply immediately for a building permit, the board's decision is subject to a 21-day waiting period during which it can be appealed to City Council, and no permits will be issued during that period.

2.) **Hear the appeal of Jerry Neal, representing First Baptist Church, 3301 Orders Road,** for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a monument sign with manually changeable copy.

Mr. Neal, the pastor of First Baptist Church, addressed the board. He explained that the church's request was just to be able to change the lettering on the sign, which he described as being very similar to the monument signs of many other churches in the area. He told the board that First Baptist is one of the oldest churches in Grove City, having been established more than 50 years ago, and that the church was moving from Kingston Avenue to a newly erected building on Orders Road. He said he was surprised to learn that the city code prohibited the changeable lettering proposed for the church's new sign. He said the church has always tried to work closely with the city as a partner in the community.

Mr. Neal listed one of the reasons for the church's request as the need to advertise dates and times of special services, particularly around holidays. He went on to say that the church is a location often used for community events such as elections and in cooperation with other agencies like the food pantry and emergencies services agencies. This, combined with the church's nonprofit status, he said, distinguished this request from the requests for variances on commercial properties.

Mr. Little noted that the request was for manually changeable 6-inch lettering, and Mr. Neal confirmed that was so and that none of the lettering would be electronic. Mr. Little asked if the sign would be used to announce regular services. Mr. Neal said that a time for regular services would be shown, but that it would remain in place for most of the time. He said changes are usually made only for special events.

Mr. LeVally asked if all other aspects of the sign met code requirements, and Ms. Zempter responded that they did.

Motion was made by Mr. LeVally to approve the appeal of Jerry Neal, representing First Baptist Church, 3301 Orders Road, for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a monument sign with manually changeable copy.

Seconded by Mr. Brant. VOTE: Little, YES; Brant, YES; LeVally, YES. **APPROVED.**

Mr. LeVally reiterated to Mr. Neal that a 21-day waiting period was in effect.

Mr. LeVally asked if there was any other new business, and none was indicated.

Mr. Little asked about the status of the Jen Arl Estates application which had been tabled at the board's March 23, 2009, meeting. The applicant had sent e-mail requests that the item remain on the table through the board's April and May meetings.

Ms. Zempter explained that her understanding was that the applicant was still in negotiation with the neighboring condominium association to get some specific documentation that the association was in agreement with the proposed use of the easement parcel owned by the association.

Mr. LeVally said he'd like to give the applicant one more month and then take the application off the table and vote on it at the June meeting. Both Mr. Little and Mr. Brant agreed with Mr. LeVally's suggestion.

Mr. Brant asked that the minutes reflect the fact that the Jen Arl Estates appeal was listed on the original agenda for the meeting but was removed after the applicant's request was received.

Adjournment.

Motion was made by Mr. LeVally and seconded by Mr. Brant to adjourn the meeting at 7:16 p.m.
VOTE: Brant, YES; LeVally, YES; Little, YES. **APPROVED.**

Jeff LeVally, Chairman

Christy Zempter, Secretary