

**City of Grove City
BOARD OF ZONING APPEALS
MEETING MINUTES
FOR: November 23, 2009**

Regular Meeting

Board Vice Chairman Harold “Butch” Little called the Board of Zoning Appeals regular meeting to order at 7:10 p.m. at the Grove City Municipal Building, 4035 Broadway. Present were: Board Members 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: Ryan Oyster, representing Kentucky Fried Chicken Inc., Meijer Outlot C, London-Groveport Road; and Stanley W. Young III, representing Sunoco, 3088 Broadway.

Motion was made by Mr. Brant to approve the minutes of the October 26, 2009, regular meeting.

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

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

- 1.) **Hear the appeal of Ryan C. Oyster, representative of Kentucky Fried Chicken Inc., Meijer Outlot C, London-Groveport Road,** for the following variances:
 - a.) To Section 1145.16(a)(3) of Grove City’s Codified Ordinances to exceed the maximum allowable area for attached signage of 35 square feet by up to 153 square feet.
 - b.) To Section 1145.16(c) of Grove City’s Codified Ordinances to allow roof signs.
 - c.) To Section 1145.16(b)(1) of Grove City’s Codified Ordinances to paint a graphic on the exterior wall of the building.

Mr. Little indicated that each of the three variances would be considered independently.

Mr. Oyster explained that the proposed restaurant would offer products from both KFC and Taco Bell and that the project had been reviewed by the Planning Commission, which had recommended approval of the development plan.

He went on to say that through the company’s negotiations with the City’s Development Department, the elevations of the proposed building were changed significantly. As a result, he said, KFC and Taco Bell lost some of what the companies considered to be their brand-specific architecture, but gained the proposed additional signage on the elevations that were ultimately agreed upon.

Mr. Oyster added that the building is configured with very narrow frontage, which limits the area of allowable signage significantly, and that the deeper side of the building fronts on an access drive that faces a lot of traffic, but is not included in the frontage calculations for allowable signage. He went on to say that he felt that the zoning code was set up to address single-tenant structures, and that because the proposed development was a multi-brand building, consideration should be given to the need to identify both brands.

Mr. Oyster explained that roughly 100 square feet of the proposed signage consists of the “11” graphics, which include “Welcome to Grove City” text, proposed for the front and side of the building, and that these signs were requested by the Development Department in the negotiation process.

Mr. Little asked what the “11” graphic represented, and Mr. Oyster responded that it symbolized the “11 herbs and spices” for which KFC is known. Mr. Oyster said that the original sign had contained text indicating “11 herbs and spices,” but that the Development Department had requested a change in the text to something that promotes the City.

Mr. Little noted that, though the building would contain two occupants, the requested signage exceeds code limits by more than twice, and that the elimination of the “11” graphics would bring the request much closer to the allowable limits.

Motion was made by Mr. Little to approve the appeal of Ryan C. Oyster, representative of Kentucky Fried Chicken Inc., Meijer Outlot C, London-Groveport Road, for a variance to Section 1145.16(a)(3) of Grove City’s Codified Ordinances to exceed the maximum allowable area for attached signage of 35 square feet by up to 153 square feet.

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

Mr. Oyster explained that the channel letters proposed for the building actually would be mounted to canopies rather than to the roof, but that they were interpreted by the zoning department as roof signs, leading to the need for a variance to allow their installation.

Mr. Little asked if the company typically installed the signage in that fashion. Mr. Oyster said that all the Taco Bells designed by the company had channel letters installed on canopies rather than attached to the building.

Mr. Little asked if Mr. Oyster felt that those signs would be required, along with the monument sign, to provide visibility along Route 665. Mr. Oyster said that he did.

Mr. Brant asked if the property was completely within a commercial zone, and Ms. Zempter responded that it was.

Motion was made by Mr. Little to approve the appeal of Ryan C. Oyster, representative of Kentucky Fried Chicken Inc., Meijer Outlot C, London-Groveport Road, for a variance to Section 1145.16(c) of Grove City’s Codified Ordinances to allow roof signs.

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

Mr. Brant asked Mr. Oyster to confirm that the signs that were proposed to be painted on the building were included at the request of the City. Mr. Oyster answered that they were requested by the Development Department as part of the negotiations that led to the development plan that was submitted to Planning Commission.

Mr. Little asked what Mr. Oyster thought the chances were of being able to read the text surrounding the “11” from the street. He responded that he wasn’t sure, but that it was probably designed more to be read as people got closer to the building.

Mr. Little asked if the signs would be illuminated, and Mr. Oyster responded that they would be.

Motion was made by Mr. Little to approve the appeal of Ryan C. Oyster, representative of Kentucky Fried Chicken Inc., Meijer Outlot C, London-Groveport Road, for a variance to Section 1145.16(b)(1) of Grove City’s Codified Ordinances to paint a graphic on the exterior wall of the building.

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

Mr. Little advised applicants that there is a 21-day period during which approvals may be appealed to City Council and that no permits can be issued during that time.

- 2.) **Hear the appeal of Stanley W. Young III, representative of Sunoco, 3088 Broadway,** for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a digital gas price indicator.

Mr. Young explained to the Board that Sunoco was seeking to reconfigure an existing ground-mounted sign, and that reconfiguration would include a change from manually changeable price fonts to a digital readout. As part of the reconfiguration, he added, the overall area of the sign would be reduced from 66.8 square feet to 56.2 square feet. He said there would be no change in the height or setback of the sign.

Mr. Brant asked if the dimensions of the sign fell within the code requirements, and Ms. Zempter responded that the existing sign was a legally nonconforming structure because its height and area exceeded code limits, but that because the nonconformity was not being increased, the dimensions of the sign remained legal.

Mr. Little asked if the sign would be static, and Mr. Young responded that it would be.

Motion was made by Mr. Little to approve the appeal of Stanley W. Young III, representative of Sunoco, 3088 Broadway, for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a static digital gas price indicator.

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

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

Adjournment.

Motion was made by Mr. Little and seconded by Mr. Brant to adjourn the meeting at 7:33 p.m.
VOTE: Little, YES; Brant, YES. **APPROVED.**

Harold "Butch" Little, Vice Chairman

Christy Zempter, Secretary