

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 24,

2019

Held

20

ADJUDICATORY HEARING-Love's Travel Stop and Country Stores (VA-19-04)

The hearing was called to order by Chairman Reis at 5:05 p.m. on September 24, 2019 at the Etna Township Administration Building. The meeting was audio taped for the township records. The roll call showed members Mark Schaff, Eric Nickolas, Greg Reis, and Trent Stepp present, along with Clerk Laura Brown. Sarah Benoit was excused.

The nature of the hearing is to consider an Area Variance request from Article 12 Signage regarding the height of the freestanding/high rise signage and the size of directional signage for Love's Travel Stop & Country Stores for the South side of I70 and east side of S.R. 310.

Chairman Reis explained the process of the hearing. The Zoning Inspector John Singleton and applicant Chad Bruner were sworn in.

John Singleton reviewed the staff report. Love's Travel Stops & Country Stores are going to construct a facility at SR 310 south of I70 on the east side of SR310. This will be at the intersection of SR310 and Schuster Way East. With construction of this facility, they would like to erect a sign for the interstate traffic to see. They tried to work out a deal to locate the sign off premise on the CRG property to the north of their site, however, ODOT would not approve an off-premise sign. They have to construct the sign on their own property which is approximately 800' south of the I-70 interchange. The main factor requiring the extra height and size of the sign is the proposed 1,228,240 square foot, 55 foot high CRG building that will stand between the interstate and Love's.

The sign location being further from I-70 makes visibility of the sign an issue. Love's would like to elevate the height of the sign to 175 feet so interstate traffic can see the sign at a distance far enough back to make the lane changes needed to exit the interstate safely.

On the freestanding sign they are requesting to increase the overall height allowed of 15 feet to 175 feet overall height and increase square footage allowed of 100 square feet to 2,444 square feet.

On the monument sign they are requesting an increase from 100 square feet to 169.33 square feet.

On the directional signs they are requesting to increase overall height allowed from 4 foot to 8 foot overall height and from 3 square feet to 32 square feet per sign. The directional signage increase is to allow for better visibility for trucks and cars using the same access road from SR 310 and to help alleviate congestion on Schuster Way.

The monument sign is 69.33 square foot over the permitted amount but will not have a negative appearance given the nature of the business and surrounding areas.

The free standing high rise sign measures at 2,244 square feet per the formula in our Zoning Resolution, but the actual amount of signage is 1,153.75 square feet over the permitted amount by 853 square feet. This should not have a negative impact due to the proposed height and distance from the interstate.

The Board discussed the sizes of the high rise signs in the surrounding area.

The Board discussed setting a precedent by approving this variance. The practical difficulties for this application can be listed within the motion.

John Singleton also discussed a water tower that will be constructed in this area in the future.

Chad Bruner, Real Estate Project Manager, with Love's Travel Stop and Country Stores reviewed their power point presentation that was provided. They do a balloon survey for a minimum height needed. These signs are very expensive so they only requested the height that was needed. The applicant provided pictures to show the need for the taller sign. They have been working with CRG and the Ohio Department of Transportation (O.D.O.T.) for options on the location for this sign.

Chad Bruner provided a drawing of the high rise sign that will be constructed. There are three uses at this location being Love's, Hardee's, and Speedco.

The aesthetics and sky line were discussed regarding the buildings and the signage.

Trent Stepp discussed the signage used along the interstate by O.D.O.T that show what restaurants and gas stations are coming up. Chad Bruner stated they will advertise on those also.

Chad Bruner stated the price of the fuel is what is important and needs to be seen. The logos on the sign are a standard size based on their corporate standards and branding. The Board discussed options of moving the items on the signage. The layout of the sign needs to remain as presented.

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Chad Bruner stated they could probably drop the signage by nine feet; they are looking for the visibility and distance they need for safety. The higher the sign the more expensive the sign is.

The Board discussed whether to make a discussion this evening or to gather more information. Chad Bruner stated they can do 165 foot tonight. He does not see redesigning the sign as an option. The applicant requested a decision tonight because of their time restraints.

The applicant was willing to drop the sign by ten feet. The board discussed the options. If the sign was located closer to I70 the height would not be needed and there will be a building in the way. The height and size of the sign were discussed. Chad Bruner discussed the ratios needed for the height of the sign. The height of the sign and the distance from the right-of-way are part of the determination of the size of the sign. This is also a multi-use sign for three locations. The Hardees and the Loves portion of the sign are comparable to the McDonalds and BP sign.

Chad Bruner discussed the request regarding the monument sign. This is a multi use sign with the fuel prices. There was a request to add the brick around both sides and he said they could do that.

Mark Schaff discussed the heart on the high rise sign being combined with the Love's sign. Chad Bruner stated the company has moved the heart separate on the high rise signs and it is a branding issue. The calculations would be for sign area only. Mark Schaff discussed the high rise signage and requested the heart be combined like the logo on the monument sign.

Chad Bruner discussed the directional signs and the need for them to be larger for the truck traffic. The fueling areas for the cars and trucks are kept separate and the larger directional signs help with this.

Trent Stepp discussed the directional signage under Section 1205b2 of the Zoning Resolutions where it exempts them. The board discussed Section 1205b11 regarding the size of the directional signs. The sign sections conflict depending on what is considered directional. The board members do not have issues with the directional signs. The directional signage cannot be in the road right-of-way. John Singleton recommended the board show the practical difficulties of this variance request in their motion.

Mark Schaff moved to close the public testimony at 6:26 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.

The Board discussed the truck traffic in Etna Township and the need for accommodating it. The hardship for this property would be the location off of I70 and the trees and building blocking the property. This location is not near a residential neighborhood and will not impact homes in the area in any way. The Board discussed the height and the size of the signage. The signs meet the safety and economic needs of the township. The applicant was willing to drop the sign by ten feet and balance the look on the monument sign. Mark Schaff discussed being disappointed that the applicant could not combine the heart on the high rise sign.

Trent Stepp moved to approve area variance VA-19-04 for Love's Travel Stop & Country Stores for parcels 010-018138-01.000, 010-025596-00.000, and 010-021756-00.000, property owner Petco Real Estate Ltd; in regards to Love's, Hardees, and Speedco. Although Section 1205B2 excludes traffic signs but to accommodate Section 1205 B 11 I would like to increase the permitted sign area for directional freestanding signs from three square feet to 32 square feet and a maximum height of four feet to 8 feet. In Section 1209 C 3 and 4 to increase the permitted aggregate sign area for freestanding signs from 100 square feet to our calculated 2,444 square feet for the Hi-Rise and 169.33 square feet for the monument sign and the maximum height of the freestanding sign from 15 feet to 165 feet because the Standards for 'Practical Difficulty' (Section 512.B.) have been met due to the distance from Interstate 70 and the proximity to a warehouse building that obstructs sightlines to intended traffic customers. The motion was seconded by Eric Nicholas. Discussion: The board verified the concern for showing hardship was met with this motion. The signage cannot be in the road right-of-way. The parcel numbers might change once developed. The motion passed by unanimous affirmative vote.

Trent Stepp moved to adjourn at 6:36 p.m. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.


Laura Brown, Clerk


Greg Reis, Chairman



81 Liberty Street
P.O. Box 188
Etna, Ohio 43018-0188

Phone 740/927-7717 Fax 740/927-1699

Members: Sarah Benoit-Eric Nickolas-Greg Reis-Mark Schaff-Trent Stepp

FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on September 24, 2019 at the Etna Township Administration Building to consider an Area Variance request from Article 12 Signage regarding the height of the freestanding/high rise signage and the size of directional signage for Love's Travel Stop & Country Stores for the South side of 170 and east side of S.R. 310.

The board moved to approve area variance VA-19-04 for Love's Travel Stop & Country Stores for parcels 010-018138-01.000, 010-025596-00.000, and 010-021756-00.000, property owner Petco Real Estate Ltd; in regards to Love's, Hardees, and Speedco. Although Section 1205B2 excludes traffic signs but to accommodate Section 1205 B 11 I would like to increase the permitted sign area for directional freestanding signs from three square feet to 32 square feet and a maximum height of four feet to 8 feet. In Section 1209 C 3 and 4 to increase the permitted aggregate sign area for freestanding signs from 100 square feet to our calculated 2,444 square feet for the Hi-Rise and 169.33 square feet for the monument sign and the maximum height of the freestanding sign from 15 feet to 165 feet because the Standards for 'Practical Difficulty' (Section 512.B.) have been met due to the distance from Interstate 70 and the proximity to a warehouse building that obstructs sightlines to intended traffic customers. The motion passed by unanimous affirmative vote.

Absent

Sarah Benoit

Eric Nickolas

Eric Nickolas

Greg Reis

Greg Reis

Mark J. Schaff

Mark Schaff

Trent Stepp

Trent Stepp

The Final Order was approved and signed: Oct 22, 2019

The Final Order was mailed/mailed to applicant on: Oct 24, 2019