

HARRISON TOWNSHIP  
BZA  
APRIL 25, 2017

Members present: Valerie Hans, George Snider, James Hannahs and Douglas Harned and Ryan Bailey.  
Absent: Dwight Gibson, Jr.  
Due to the Absence of Mr. Gibson, Mr. Bailey will be voting tonight.

Also present: Tom Frederick, Zoning Inspector, Vickie Noble, Zoning Secretary and Marilyn Martin of Anderson Reporting.

Guests: Shirley A. Hunter, Vickie L. Hammons, Gary A Hammons, Jeremiah Groscost, Dan Moore (applicant), Tom Fellure, Winnie Fellure and Edward Norton.

The purpose of this meeting is to consider a Variance Application submitted by Pastor Daniel Moore, Bethel Baptist Church 7161 Beecher Rd. SW Pataskala, OH 43062. The applicant is requesting to install a sign measuring larger than the maximum allowed by the Harrison Township Zoning Resolution.

The Public Hearing was called to order at 6:30 pm by Valerie Hans with all standing for the Pledge of Allegiance.

Ms. Hans asked the court reporter to swear in all who wished to speak at tonight's hearings.

The application was read.

Mr. Frederick gave his report/recommendation.

\*\*\*\*\*

*April 24, 2017*

*Harrison Township Zoning Inspector's report & recommendation for the variance request submitted by Bethel Baptist Church – Daniel B. Moore / Pastor 7161 Beecher Rd. Pataskala, Ohio 43062.*

*The variance request is to allow the church to replace their existing signs with signs that would exceed the permitted 32 sq. ft. per side. The applicant is requesting 70 sq. ft. per side or 140 sq. ft. total sign face for both sides on the existing sign structure. The current signs exceed the maximum sign square footage permitted. Currently they are 38.7 sq. ft. or 77.4 total square feet of sign face for both sides. The Harrison Township regulations maximum for a sign face is 32 sq. ft. per side or 64 sq. ft. for a double-sided sign.*

*This variance recommendation will follow the requirements of Harrison Township Zoning Resolution Article 4 – Section 4.12 #2. – Area Variance.*

**Area Variance Section 4.12 #2**

#2 states the factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of the property. They include but not limited to:

**a. whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.**

*I believe that the Bethel Baptist church would continue without the variance.*

**b. whether the variance is substantial.**

*The current zoning regulations permits 32 sq. ft. of sign face and 64 sq. ft. total for a two-sided sign.*

*The current existing signs at the Bethel Baptist Church are 38.7 sq. ft. or 77.4 sq. ft. for both sides. This is 6.7 sq. ft. over the 32 sq. ft. per side and 13.4 sq. ft. over the current regulations for both sides.*

*The proposed signs are 70 sq. ft. per side or 140 sq. ft. for both sides. This is 38 sq. ft. over the current zoning regulations per side or 76 sq. ft. for both sides.*

*Considering the existing signs which are 38.7 sq. ft. (77.4 for both sides), the proposed signs would be 31.3 sq. ft. or 62.6 sq. ft. both sides larger.*

*If looking at the current zoning regulations the proposed signs are more than double the 32 sq. ft. permitted per side.*

*If looking at the existing signs (38.7 per side / 77.4 for both sides) the proposed signs are a little less square footage (70 sq. ft.) than the total square footage for the total of both sides of the existing signs (77.4 total sign faces).*

**c. whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.**

*Considering the location of the existing sign structure and the business use of the property to the east of the church property I do not feel there would be a detrimental effect on that property. This is where Scott's Transmission and Fleet Mobile businesses are located. Also, the location of the existing sign structure is located lower than Columbus Road. I do not feel this would have a detrimental effect on traffic traveling that street.*

**d. whether the variance would adversely affect the delivery of governmental services ( e.g. water, sewer, garbage, medical, fire, police).**

No.

**e. whether the property owner purchased the property with knowledge of the zoning restrictions.**

No.

**f. whether the property owner’s predicament feasibly can be prevented or corrected through some other method other than a variance.**

*The church does have other options for types of signs to achieve the goal of more visible signage that would not require a variance. One option would be a 32 sq. ft. Variable Message Advertising Device (VMAD) sign. VMAD signs would be like the ones at CVS, Coughlin dealership and Bremen Bank. I believe using VMAD signs would have a more adverse effect on the adjoining residential properties.*

**g. whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.**

*I believe the proposed sign will not affect the spirit or intent of the zoning regulations due to the location of the existing sign structure and the placement being lower than Columbus Road. (SR 16).*

*It would be my recommendation to approve the variance request.*

*Thomas D. Frederick Harrison Township Zoning Inspector*

\*\*\*\*\*

After presenting his report, Mr. Frederick said he had several calls with questions about this application. Several were concerned about lighting on the proposed sign.

Ms. Hans asked Mr. Moore to give some details.

Pastor Moore said the plans were for LED ground lighting on each side. The light would focus only on the sign. There would also be landscaping.

Mr. Hannahs asked if the current sign is lighted. Pastor Moore said there was lighting but it not operational right now.

Ms. Hans wanted to know if the sign could be lighted without causing a problem for the neighbors. Pastor Moore...yes.

Mr. Snider questioned why the application would be approved if it goes beyond the zoning regulations.  
Ms. Hans said this request is different because of the sign location being lower.

Pastor Moore presented 5 photos of the existing structure and the proposed new sign.

Mr. Groscoast stated his house is across from the church and he can see the sign from his house.

Pastor Moore stated the existing structure will not change, only the panels.

Mr. Groscoast pointed out that his house is visible in photo # 4.

Ms. Hans asked Mr. Frederick if the house across the road is in a business or residential district.

Mr. Frederick answered that the church is zoned business but the house across the road is zoned R-15.

Pastor Moore added that the illumination will probably not be all night and the lighting should not shine toward Mr. Groscoast's property.

Ms. Hans is concerned about LED lighting. She asked if down lighting had been considered.

Pastor Moore said they would consider another type of lighting.

Mr. Bailey wanted to know the color of the lighting.... warm or bright.

Pastor Moore stated they would not need the light to be bright.

Mr. Harned is also concerned about the lighting. He informed Pastor Moore that he was one of the neighboring properties that was notified, therefore, he would not be voting on this application.

Ms. Hans asked if there was a way to compromise by eliminating the lighting.

Pastor Moore is willing to compromise including using downlighting.

Ms. Hans asked for the opinions of the board

Mr. Snider feels the sign is large enough.

Mr. Hannahs thinks the church needs a larger sign.

Mr. Bailey sees no problem since the structure will not change. The only problem he sees is with the lighting issue.

Ms. Hans and Mr. Bailey both think downlighting will work.

Motion made by Valerie Hans to approve the application with the following conditions:

1. Lighting will be down lighting and warm white in color
2. Lighting will not be permitted to spill onto the roadway or neighboring properties
3. Lighting will be turned off between the hours of 11:00 pm and 6:00 am daily
4. The sign structure of the sign will remain the same dimensions as the existing sign.
5. Print signage will be as proposed.

Motion seconded by George Snider.

Vote:

Valerie Hans...yes George Snider...yes James Hannahs...yes

Douglas Harned...abstain Ryan Bailey...yes

The motion passed with four yes votes and one abstention.

At 7:15 pm Mr. Snider moved to close the public hearing. Ms. Hans seconded.

The motion passed with unanimous ayes.

At 7:20 pm a working session began

Mr. Harned moved to approve the minutes of the January 24, 2017 meeting.

Mr. Snider seconded. The motion passed with unanimous ayes.

Mr. Frederick asked the board to look over detail of Article 4 Administration. He would like to know if they have any suggestions for revisions.

At 7:37 pm Mr. Bailey moved to adjourn. Ms. Hans seconded. The motion passed with unanimous ayes.

Respectfully submitted

Vickie Noble, Zoning Secretary

Valerie Hans, Chair

The Public Hearing was professionally recorded by Anderson Reporting