Meeting Agenda

Monday, July 13, 2020

7:00 PM

Planning and Zoning Commission

Bill Christensen - Chairman
Michael Vasko - Vice Chairman
Joe Donahue - Secretary
Brad Richey
Joe Wildenthaler
Mark Caulk
Kevin Serna
Call To Order

Time In: _______________________

Declaring A Quorum (Roll Call)

Bill Christensen Brad Richey Mike Vasko Kevin Serna
Joe Wildenthaler Joe Donahue Mark Caulk

Excused: _______________________
Motion By: _______________________
Second By: _______________________
Vote: _______________________

Approval of Minutes

June 8, 2020 Planning and Zoning Commission Meeting Minutes

Motion By: _______________________
2nd By: _______________________
Vote: _______________________

Public Comment

Discussion of issues unrelated to agenda items.
Time limit of four minutes per speaker

Public Oath

Administration of an oath by the Commission Chair to anyone who will speak at the meeting.

Public Hearings

VA-20-003
Property Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Request: Variance to section 1189.06(a) to allow for an off premises freestanding sign.

Motion to close Public Hearing By: _______________________
2nd By: _______________________
Vote: _______________________

Motion By: _______________________
2nd By: _______________________
Vote: _______________________
Conditions: _______________________

VA-20-004
Property Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Request: Variance to section 1189.08(b)(1) & (3) to allow for a freestanding sign to be larger and taller than the setback requirement.

Motion to close Public Hearing By: _______________________
2nd By: _______________________
Vote: _______________________

~ 2 ~
Motion By: ____________  2nd By: ____________  
Vote: __________________  
Conditions: __________________

VA-20-005  
Property Owner: Marna Maynard  
Applicant: Marna Maynard  
Location: 6411 Dietz Drive  
Request: Variance to section 1157.04(a)(2) to exceed the maximum 30% lot coverage to install an in-ground swimming pool  

Motion to close Public Hearing By: ____________  
2nd By: ____________  Vote: ____________  

Motion By: ____________  2nd By: ____________  
Vote: __________________  
Conditions: __________________

FDP-20-004  
Property Owner: Canal Investment Partners, LLC  
Applicant: Canal Investment Partners, LLC  
Location: Turning Stone Subdivision  
Request: Amendment to the Final Development Plan Text and Exhibits regarding fencing.  

Motion By: ____________  2nd By: ____________  
Vote: __________________  
Conditions: __________________

Old Business

New Business

Adjournment  
Motion by: ____________  2nd by: ____________  Vote: _____  
Time Out: ____________
Canal Winchester

CW Community Center
22 South Trine Street
Canal Winchester, OH 43110

Meeting Minutes
Monday, June 8, 2020
7:00 PM

Planning and Zoning Commission

Bill Christensen - Chairman
Michael Vasko - Vice Chairman
Joe Donahue - Secretary
Brad Richey
Joe Wildenthaler
Mark Caulk
Kevin Serna
Call To Order

Time In: 7:00pm

Declaring A Quorum (Roll Call)

A motion was made by Joe Donahue, seconded by Mike Vasko that Brad Richey & Joe Wildenthaler be excused.

The motion carried by the following vote:

Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

Excused: 2 – Richey & Wildenthaler

Approval of Minutes

May 11, 2020 Planning and Zoning Commission Meeting Minutes

A motion was made Mike Vasko, seconded by Kevin Serna, that the May 11, 2020 Minutes be approved.

The motion carried by the following vote:

Yes: 4 – Christensen, Vasko, Serna & Donahue

Abstain: 1 – Caulk

Public Comment

Public Oath

Public Hearings

FS-20-001

Property Owner: Grand Communities, LLC
Applicant: Keith Smith – Civil & Environmental Consultants, Inc.
Location: PID 184-003289
Request: Final Subdivision Plat for Villages at Westchester Section 9, Phase 1.

Mr. Moore presented the application for Grand Communities Limited for property located at PID 184-003289. The applicant is requesting approval for a Final Subdivision Plat for the Villages at Westchester, Section 9 Part 1. Staff discussed that this section is an extension of Connor Court and contains 7 single family lots and 1 reserve space. All plans meet the requirements for the Villages at Westchester PUD.

Mr. Vasko commented that on the cover sheet for the plat in the location map they incorrectly note Groveport Road as Main Street. Staff affirmed.

A motion was made by Joe Donahue, seconded by Kevin Serna that Final Subdivision Plat #FS-20-001 be approved as presented and recommended to City Council.
Mr. Moore presented the application for Grand Communities Limited for property located at PID 184-003289. The applicant is requesting approval for a Final Subdivision Plat for the Villages at Westchester, Section 9 Part 2. Staff discussed that this is the final extension of Connor Court and contains 17 single family lots and 1 reserve space for a detention basin. All plans meet the requirements in the Villages at Westchester PUD.

A motion was made by Joe Donahue, seconded by Mark Caulk that Final Subdivision Plat #FS-20-002 be approved as presented and recommended to City Council.

The motion carried by the following vote:
Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

Staff discussed that the applicant has not yet updated the application to provide the requested information. Staff is recommending that Variance application #VA-20-003 be tabled at this time to the July meeting.

A motion was made by Joe Donahue, seconded by Kevin Serna that Variance Application #VA-20-003 be tabled to the July 13 P&Z Meeting.

The motion carried by the following vote:
Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

Property Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Request: Variance to section 1189.06(a) to allow for an off premises freestanding sign.

Staff discussed that the applicant has not yet updated the application to provide the requested information. Staff is recommending that Variance application #VA-20-003 be tabled at this time to the July meeting.

A motion was made by Joe Donahue, seconded by Kevin Serna that Variance Application #VA-20-003 be tabled to the July 13 P&Z Meeting.

The motion carried by the following vote:
Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

Property Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Request: Variance to section 1189.08(b)(1) & (3) to allow for a freestanding sign to be larger and taller than the setback requirement.

Staff discussed that the applicant has not yet updated the application to provide the requested information. Staff is recommending that Variance application #VA-20-004 be tabled at this time to the July meeting.

A motion was made by Mike Vasko, seconded by Joe Donahue that Variance Application #VA-20-004 be tabled to the July 13 P&Z Meeting.

The motion carried by the following vote:

Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

FDP-20-002

Property Owner: Pifer Tract Five Limited Partnership
Applicant: DDC Management
Location: PID 042-0388600 & 042-0388500
Request: Final Development Plan for a 191 unit detached condominium community.

Mr. Moore presented the application for DDC Management for the 46 acre tract located off Hill Road with PID 042-0388600 & 042-0388500. The applicant is requesting approval for the Final Development Plan for 191 Detached Condominiums for the Greengate Residential Development.

Staff provided an overview of the project with the commission and noted that since the March meeting staff has been waiting for the final results of the traffic study review and plans provided from the applicant showing that they have the ability to construct the necessary improvements identified along Hill Road with the project. The applicant has since finished the traffic study review and has sign off from the city engineering team and Fairfield County Engineers. Additionally, the applicant has recently provided information showing that the Hill Road improvements can take place within the existing right-of-way limits and have obtained a temporary construction easement from a property owner to the south.

Staff discussed that the plans and traffic study note that they plan on doing this project in three consecutive phases completing by 2024. Fairfield County has determined due to the short construction period they will request the Hill Road improvements be installed with Phase 1 of the development and Canal Winchester Staff confirms.

Staff noted that due to the Preliminary Development Plan conditions, Planning and Zoning Commission must make a motion to provide their recommendation to City Council on this Final Development Plan.
Staff recommends the applicant’s request for the Final Development Plan be approved and recommended to City Council with the following recommendations:

1. The turn lane improvements along Hill Road be constructed with Phase 1 of the development.
2. The applicant is responsible for the proportional share of offsite traffic improvements.

Mr. Donahue asked staff if the traffic study found a need for a right bound turn lane into the site on Hill Road. Staff stated that the traffic study only found the warrant analysis for the left bound turn lane on Hill Road.

Mr. Christensen affirmed that this is also a recommendation to City Council. Staff affirmed.

Mr. Vasko discussed that his understanding is an adjacent property owner is under contract to obtain a piece of this property and the plans that were presented this evening do not reflect that. Staff responded saying that their understanding was that the land swap was a previous iteration of the plans that has since been changed by the developers. At this time only the plans that are presented this evening are being requested for approval.

Mr. Christensen asked the applicant if there was anything they would like to add.

John Bills representing the application spoke about the update to the plans and discussed that previous discussions with the commission were about how to complete the Hill Road improvements. This evening they have come up with the plan they would like to move forward with. Bills discussed that they are excited about the project and despite what is happening around the world the housing market has remained strong.

A motion was made by Joe Donahue, seconded by Kevin Serna that Final Development Plan #FDP-20-002 be approved and recommended to City Council with the following conditions:

1. The turn lane improvements along Hill Road be constructed with Phase 1 of the development.
2. The applicant is responsible for the proportional share of offsite traffic improvements.

The motion carried by the following vote:

Yes: 4 – Donahue, Christensen, Serna & Caulk

Abstain: 1 - Vasko
Old Business

Staff updated the P&Z Commission on the Hampton Inn project. One of the conditions of approval was that the parking lot lights be flush with the ground with no concrete exposed to get the parking lot poles to be within the max 30 feet tall. The electrician on side contacted staff stating that the 3 foot concrete basis called out in their construction documents were installed and wanted to know if a smaller 25 foot light pole could be installed to get the total height less than 30 feet. Staff made a compromise with the applicant that the 25 foot poles would be acceptable if the concrete base was painted black to match the light.

Mr. Vasko commented that he saw the newspaper article about the swine appeal and the newspaper article failed to mention she did not attend the P&Z hearing. Staff discussed that the resident explained she was confused if the appeal hearing was still taking place or not with the COVID restrictions. However, the resident has appealed P&Z’s decision to City Council for further review. Rumor has it that the property owner with the pig has sold her property and is moving.

New Business

Adjournment

Time Out: 7:34 pm

A motion was made by Mike Vasko, seconded by Mark Caulk, that this Meeting be adjourned. The motion carried by the following vote:

Yes: 5 – Christensen, Vasko, Serna, Donahue & Caulk

Date

Bill Christensen - Chairman

Joe Donahue - Secretary
VARIANCE APPLICATION

PROPERTY OWNER

Name  CROSSROADS CHRISTIAN CHURCH

Address  11573 LITHOPOLIS RD NW  LITHOPOLIS OH  43136

Daytime Phone  614.829.5800  Email  pastortim@thex.church

APPLICANT

Name  DANITE SIGN COMPANY

Address  1640 HARMON AVE  COLUMBUS OH  43223

Daytime Phone  614.444.3333  Email  LHAWKINS@DANITESIGN.COM

Address of Subject Property  INTERSECTION OF GENERA RD & BIGGERTON

Current Zoning  GC  Variance Request to Section  1189.06(a)

Requested Variance  To allow a complex ID sign off premises of 000865

Attach a legal description and current survey (within 2 years) of the subject property and all supporting materials as required by Section 1147.02(c) (see attachment). Additional information may be required by the Planning and Zoning Administrator or the Planning and Zoning Commission.

I certify that the information provided with this application is correct and accurate to the best of my ability.

________________________  3.31.20

Property Owner's or Authorize Agent's Signature  Date

DO NOT WRITE BELOW THIS LINE

Date Received: 4/17/20  Fee: $250  Historic District:  Yes  No
Paid  Preservation District:  Yes  No

Date of Action:  / /

Expiration Date:  / /

Tracking Number: VA - 20-003

Application  No

Approved:  Yes

Yes, with conditions
(1) Current Zoning: General Commercial
Proposed Zoning: General Commercial
PID: 184-002666
Property Address: Gender Rd.
Owner: City of Canal Winchester
36 S High St
Canal Winchester OH 43110
Applicant: Crossroads Christian Life Center Inc
11573 Lithopolis Rd NW
Lithopolis OH 43136
Represented by,
DaNite Sign Company
Lisa Hawkins / Pam Meeks
1640 Harmon Ave
Columbus OH 43223
614.444.3333 (O)

Date of Text: 2.1.20

(2) Legal Description: See Exhibit A

(3) Nature of Variance: This variance is being requested, as the current code

**1189.06 GENERAL REQUIREMENTS.**
All signs shall be subject to the following general requirements along with other applicable requirements of this Zoning Code:
(a) Signs shall only be utilized for the promotion of a business, product or service available on the premises where the sign is located.

The client is requesting a variance for an off premises complex identification sign to be located on PID184-002666 for promotion of business on PID 184-000865. (See Exhibits B & C)

(4) **1147.03 Criteria:**
  a. The special circumstances or conditions which are not applicable to other lands or structures in the same zoning districts is that the structure on PID 184-000865 is located 860’ from Gender Rd, thus inhibiting clear visibility of the building structure to drivers while heading North or South on Gender Rd.
b. The literal interpretation of the provisions of the Zoning Code would deprive the church of promoting their business commonly enjoyed by other properties in the same zoning district under provisions of this Zoning Code.

c. The special conditions and circumstances do not result from the actions of the applicant, as the pond already existing on the property.

d. The granting of the variance will not confer on the church any undue privilege that is denied by this Zoning Code, as the church would benefit from being able to promote their business the same as neighboring land or structures in the same zoning district.

e. The granting of the variance will not adversely affect the public health, safety, convenience, comfort, prosperity and general welfare.

f. The granting of this variance is not solely based upon the showing that the property could be put to better use. There is a retention pond on this particular property with no other structure or service. (See Exhibit D)

g. The granting of this variance will not permit the use that is otherwise not permitted as complex on premises signs are permitted on commercial properties.

(5)
List of Property Owners: See Exhibit E

(6)
Plot Plan: See Exhibit D
Neighboring Property Owners:

1. 6400 Gender Road LLC / GENDER RD 21 T11 S25
   Owner Address:
   9474 Big Bear Ave
   Powell OH 43065
   
   Property Address:
   6400 Gender Rd
   Canal Winchester OH 43110

2. Wal-mart Real Estate Business Trust / GENDER RD R21 T11 S25
   Owner Address:
   PO Box 8050 MS 0555
   Bentonville AR 72712
   
   Property Address:
   6647 Winchester Blvd
   Canal Winchester OH 43110

3. Valvoline LLC / GENDER RD R21 T11 S25
   Owner Address:
   3499 Blazer Pkwy
   Lexington KY 40509
   
   Property Address:
   6445 Canal St
   Canal Winchester OH 43110

   Owner Address:
   521 E Main St
   Lancaster OH 43130
   
   Property Address:
   6380 Prentiss School Dr
   Canal Winchester OH 43110

5. Crossroads Christian Life Center Inc
   Owner Address:
   11573 Lithopolis Rd NW
   Lithopolis OH 43136
   
   Property Address:
   6600 Bigerton Bl
   Canal Winchester OH 43110
CHURCH X

MONUMENT SIGN FRONT ELEVATION

SCALE: 3/8" = 1'-0"

ONE (1) DOUBLE FACE, INTERNALLY ILLUMINATED MONUMENT SIGN REQUIRED.

TOTAL SQUARE FEET = 112.50

MONUMENT SIGN SIDE ELEVATION

SCALE: 3/8" = 1'-0"

---

FABRICATED ALUMINUM ROOF.

"X" TO BE 1' DEEP INTERNALLY ILLUMINATED CHANNEL LETTER CABINET. CABINET TO HAVE BLACK ALUMINUM RETURNS. 1" BLACK JEWELITE WHITE PLASTIC FACE WITH BLACK VINYL "X". CABINET TO BE INTERNALLY ILLUMINATED WITH WHITE I.E.D. STRIPS AND 120 VOLT POWER SUPPLIES.

TO TOP FACES TO BE 1/8" ALUMINUM. "CHURCH" COPY TO BE ROUTED OUT WITH 1/2" WHITE ACRYLIC PUSH THRU LETTERS. BACKGROUND TO BE PAINTED BLACK.

TENANT CABINET TO HAVE ALUMINUM OVER INTERNAL ANGLE, ALL WELDED FRAME. 2" ALUMINUM ANGLE FACE RETAINERS AND 2" ALUMINUM DIVIDER BARS. CABINET TO BE INTERNALLY ILLUMINATED WITH WHITE I.E.D. STRIPS AND 120 VOLT POWER SUPPLIES.

FACES TO BE 1/8" ALUMINUM. BACKGROUND TO BE PAINTED BLACK.

DISCONNECT SWITCH AT BASE OF SIGN. POWER TO SIGN TO BE BY OTHERS. ONE (1) 20 AMP 120 VOLT CIRCUIT REQUIRED DEDICATED TO SIGN ONLY.

BASE TO HAVE ALUMINUM SIDES OVER INTERNAL ANGLE, ALL WELDED FRAME.

SUPPORTS SIZE AND TYPE TO BE DETERMINED BY STATE CERTIFIED ENGINEER.

CONCRETE FOUNDATION. SIZE TO BE DETERMINED BY STATE CERTIFIED ENGINEER.

INTERSECTION OF GENDER RD. / BIGGERTON BEND
Variance #VA-20-003
Crossroads Church

Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Existing Zoning: AR-1 (Multi-Family Residential)
Request: Variance to Chapter 1189.06(a) to allow for an off premises sign.

Location and Surrounding Land Uses
The subject property, approximately 23 acres, is on the southeast corner of Bigerton Bend and Gender Rd and is zoned for AR-1 (Multi Family). The property to the south consists of 40+ acres for BrewDog and is zoned LM (Limited Manufacturing). Property to the east is zoned PRD (Planned Residential District) and is a single-family development for Cherry Landing, consisting of approximately 180 lots. Properties to the north are zoned GC (General Commercial) and consist of the Waterloo Crossing Shopping center. Properties to the west are zoned GC and consist of a few out parcels containing The Goddard School, a car wash, Valvoline Oil, and Bremen Bank.

Analysis
The subject building is a 58,488 sq. ft., 1,200 seat church facility that is currently finishing construction on the site. The applicant is requesting approval to install a freestanding multi-tenant sign off-site in an adjacent parcel.

Chapter 1189.06(a) of the Zoning Code, which regulates General Requirements for signage, states: “Signs shall only be utilized for the promotion of a business, product or service available on the premises where the sign is located.”

The applicant is requesting to install the signage on a piece of property that was acquired by the City of Canal Winchester with the approval of the Site Development Plan approval for the Crossroads Church.

- **Condition #2 with ORD 27-00, which rezoned the subject site to Multi-Family Residential, required the retention basin at the corner of Canal Street and Gender Road to be donated to the City of Canal Winchester when a Final Development Plan for the site was approved.**

This parcel consists of a 1.2 acre triangle shaped tract of ground that houses the detention basin for the Waterloo Crossing Shopping center to the north. When the City acquired the parcel, it was noted that the maintenance of the detention basin remains the responsibility of the shopping center while the maintenance of the ground be done by the City.

Crossroads Church is requesting to get a signage easement from the city to erect a monument sign for identification at the intersection for the church facility and the future commercial outparcel. The church as agreed that in return for the signage easement, the church will perform the ground maintenance of the property on behalf of the city.
The variance application notes that the sign is to be located 2 feet from the Bigerton Bend right-of-way and 7 feet from the Gender Road right-of-way. The location of the sign is clear of all CW Public Utilities and clear of public electric lines that run along this property.

Criteria For Approval

(a) That special circumstances or conditions exist which are not applicable to other lands or structures in the same zoning district.

(b) That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the provisions of this Zoning Code.

(c) That the special conditions and circumstances do not result from the actions of the applicant.

(d) That the granting of the variance will not confer on the applicant any undue privilege that is denied by this Zoning Code to other lands or structures in the same zoning district.

(e) That the granting of the variance will in no other manner adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

(f) That the granting of the variance is not solely based upon the showing that the property could be put to better economic use than presently permitted by zoning regulations.

(g) That the granting of the variance will not permit a use that is otherwise not permitted within the respective zoning district.

Staff Recommendation

Staff recommends variance application #VA-20-003 be approved as presented. The signage easement allows for tenant identification for both the church and the outparcels further south on Gender Road. This intersection is the primary access point for both properties and makes wayfinding for both sites much easier.
VARIANCE APPLICATION

PROPERTY OWNER
Name: CROSSROADS CHRISTIAN CHURCH
Address: 11573 LITHOPOLIS RD NW LITHOPOLIS OH 43136
Daytime Phone: 614.829.5800 Email: pastortim@thex.church

APPLICANT
Name: DANITE SIGN COMPANY
Address: 1640 HARMON AVE COLUMBUS OH 43223
Daytime Phone: 614.444.3333 Email: LHAWKINS@DANITESIGN.COM
Address of Subject Property: INTERSECTION OF GENDER RD & BIGGERTON
Current Zoning: GC Variance Request to Section: 1189.08 (b) 1 (b) 3
Requested Variance: Variance for setback and height of proposed sign

I certify that the information provided with this application is correct and accurate to the best of my ability.

Property Owner’s or Authorize Agent’ Signature: ______________________ Date: 3.31.20

DO NOT WRITE BELOW THIS LINE

Date Received: 4/17/20 Fee: $250 Historic District: __ Yes __ No
Paid: ☐ Preserves District: __ Yes __ No
Application: __ No Approved: __ Yes
Expiry Date: __/__/_______ __ Yes, with conditions
Tracking Number: VA- 20-004
VARIANCE TEXT
X CHURCH

(1)
Current Zoning: General Commercial
Proposed Zoning: General Commercial
PID: 184-002666
Property Address: Gender Rd.
Owner: City of Canal Winchester
36 S High St
Canal Winchester OH 43110
Applicant: Crossroads Christian Life Center Inc
11573 Lithopolis Rd NW
Lithopolis OH 43136
Represented by,
DaNite Sign Company
Lisa Hawkins / Pam Meeks
1640 Harmon Ave
Columbus OH 43223
614.444.3333 (O)

Date of Text: 2.1.20

(2)
Legal Description: See Exhibit A

(3)
Nature of Variance: This variance is being requested, as the current code

1189.08 FREESTANDING SIGNS
(b) Complex Identification Signs. Non-residential developments shall be permitted complex identification signs to identify such development and its current occupants subject to the following requirements:
(1) The display area per face of a complex identification sign shall not exceed fifty (50) square feet when the sign is located ten (10) feet from the public right-of-way. For each additional one (1) foot setback from the public right-of-way, an additional two (2) square foot per sign face shall be permitted, up to a maximum of one hundred and seventy-two (172) square feet per sign face.

(3) The height of a complex identification sign shall not exceed six (6) feet when the sign is located ten (10) feet from the primary frontage street right-of-way line. For each additional two (2) feet setback from the street right-of-way line, an additional one (1) foot in height will be permitted for a complex identification sign up to a maximum of sixteen (16) feet high.

The client is requesting a variance for this off premises complex identification sign to be located 60’ east of Gender Rd and 20’ South of Canal St. This would place the sign just behind the street right-of-way line with no further setback due to utilities placement and a retention pond on the property, inhibiting the sign to be installed at a proper setback. Additionally, the client requests a variance for the overall height of the sign to be 17’-9½”, including the sign base and
decorative finial trim cap at the top of the sign. The graphic area of the sign is 112.5 sq ft with and overall height of 12'-6" and width of 9'-0". (See Exhibit B)

(4)
1147.03 Criteria:

a. The special circumstances or conditions which are not applicable to other lands or structures in the same zoning districts are that PID 184-002666 has multiple utilities, recently moved, and a retention pond that prohibits the sign from being installed per codified ordinances. After review of the site and location of existing utilities, it was determined that the proposed sign be located 60' from the right-of-way line East of Gender Rd and at 0' setback from the right-of-way line South of Canal St. (See Exhibit C)

The proposed overall height of the sign is 17'-9 3/4" in order to accommodate for mature tree line in the line of site where the footprint of the sign is being proposed. Without increasing the height of the sign, the visibility would be difficult to read by drivers heading North of Gender Rd. The proposed 0' setback South of Canal St is due to the sloping soil/grading conditions towards the retention pond. (See Photos A, B, & C)

b. The literal interpretation of the provisions of the Zoning Code would deprive the church of promoting their business because the church is located so far off the main back from Gender Rd. Additionally, due to underground utilities and the retention pond, the proposed sign cannot be located at another place on the property while still maintaining visibility by drivers passing by.

c. The special conditions and circumstances do not result from the actions of the applicant, as the pond and utilities already existing on the property.

d. The granting of the variance will not confer on the church any undue privilege that is denied by this Zoning Code, as the church would benefit from being able to promote their business the same as neighboring land or structures in the same zoning district. The land could not be put to better use, as the retention pond could not be drained in order to build another commercial business on the parcel.

e. The granting of the variance will not adversely affect the public health, safety, convenience, comfort, prosperity and general welfare.

f. The granting of this variance is not solely based upon the showing that the property could be put to better use. There is a retention pond on this particular property with no other structure or service. The retention pond could not be drained in order to build another commercial business on the parcel.

(See Exhibit D)

g. The granting of this variance will not permit the use that is otherwise not permitted as complex on premises signs are permitted on commercial properties.

(5)
List of Property Owners: See Exhibit E

(6)
Plot Plan: See Exhibit E
**INTERNATIONAL C & C CORPORATION**
**DBA: SIGN X-PRESS**

**10831 Canal Street**
**Largo, FL 33777**
**1-727-541-5573**
**Fax: 1-727-544-7745**
**LIC. #ES 12006419**
**www.intlSign.com**

**Client:**
**CHURCH X**
**CANAL WINCHESTER**
**ETHOPOLIS, OH.**

**Date:**
**AUGUST 16, 2019**

**Drawing Number:**
**H19127-50R3.X.CHURCH**

**Revisions:**

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**Sales Person:**
**JOE RUSSELL**

**Scale:**
**AS NOTED**

**Drawn by:**
**O. BARNITZ**

---

**CLIENT/LESSOR APPROVAL**

**Approved:**
**AS NOTED**

**Drawn and Submitted:**
**TBD**

**This is an original drawing prepared as part of a planning project and is not to be duplicated without written permission from International C & C Company or its authorized agents, all rights reserved.**

**Primary electrical power to sign to be by others. All power to be 120 volt unless otherwise stated.**

**Electrical Code: 10831 Canal Street, Largo, FL 33777.**

**Sheet No.: 104**
2'-0" TO ROW
36" DIAM CAISSON
FOUNDATION
7'-0" TO ROW
NEW 10'-0: WIDE MONUMENT SIGN
175'±
12'-0" 12'-0" 12'-0"
Variance #VA-20-004
Crossroads Church

Owner: Crossroads Christian Church
Applicant: DaNite Sign Co.
Location: 6600 Bigerton Bend
Existing Zoning: AR-1 (Multi-Family Residential)
Request: Variance to Chapter 1189.08(b)(1), (3) & (4) to allow for a Complex Identification Sign to be located within 10 feet of the public right-of-way.

Location and Surrounding Land Uses
The subject property, approximately 23 acres, is on the southeast corner of Bigerton Bend and Gender Rd and is zoned for AR-1 (Multi Family). The property to the south consists of 40+ acres for BrewDog and is zoned LM (Limited Manufacturing). Property to the east is zoned PRD (Planned Residential District) and is a single-family development for Cherry Landing, consisting of approximately 180 lots. Properties to the north are zoned GC (General Commercial) and consist of the Waterloo Crossing Shopping center. Properties to the west are zoned GC and consist of a few out parcels containing The Goddard School, a car wash, Valvoline Oil, and Bremen Bank.

Analysis
The church that is under construction is a 58,488 sq. ft., 1,200 seat facility that sits approximately 900 feet from Gender Road and Bigerton Bend intersection. The applicant is requesting approval to install a freestanding multi-tenant sign off-site on an adjacent parcel. The free-standing sign is being requested to be larger and taller than setback requirements.

Chapter 1189.08(b)(1) of the Zoning Code, which regulates Complex Identification Signs, states: “The display area per face of a complex identification sign shall not exceed fifty (50) square feet when the sign is located ten (10) feet from the public right-of-way. For each additional one (1) foot setback from the public right-of-way, an additional two (2) square foot per sign face shall be permitted, up to a maximum of one hundred and seventy-two (172) square feet per sign face.”

Chapter 1189.08(b)(3) of the Zoning Code, which regulates Complex Identification Signs, states: “The height of a complex identification sign shall not exceed six (6) feet when the sign is located ten (10) feet from the primary frontage street right-of-way line. For each additional two (2) feet setback from the street right-of-way line, an additional one (1) foot in height will be permitted for a complex identification sign up to a maximum of sixteen (16) feet high”

Chapter 1189.08(b)(4) of the Zoning Code, which regulates Complex Identification Signs, states: “A complex identification sign shall be located no less than ten (10) feet from any property line or public right-of-way and shall be not less than thirty (30) feet from a residentially zoned property...”
The sign that is being requested is designed at 112.5 sq. ft. at 16 feet tall. The complex identification sign features a 72 sq. ft. area to advertise for the church at the top and two future tenant panels below at 20.7 sq. ft. each. The base of the sign is proposed to be a solid brick base at 2.8 feet tall. The sign is proposed to be located at the corner of Bigerton Bend and Gender Road intersection. As shown it will be 2 feet from Bigerton Bend right-of-way and 7 feet from Gender Road right-of-way.

Criteria For Approval
(a) That special circumstances or conditions exist which are not applicable to other lands or structures in the same zoning district.

(b) That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the provisions of this Zoning Code.

(c) That the special conditions and circumstances do not result from the actions of the applicant.

(d) That the granting of the variance will not confer on the applicant any undue privilege that is denied by this Zoning Code to other lands or structures in the same zoning district.

(e) That the granting of the variance will in no other manner adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

(f) That the granting of the variance is not solely based upon the showing that the property could be put to better economic use than presently permitted by zoning regulations.

(g) That the granting of the variance will not permit a use that is otherwise not permitted within the respective zoning district.

Staff Recommendation
Staff recommends variance application #VA-20-004 be approved as presented. The applicant is requesting that this sign be constructed at the primary intersection for both properties. This off-site location contains one of the detention basins for the Waterloo Crossing shopping center to the north and was recently acquired by the City of Canal Winchester. This parcel is undevelopable as it is located within the flood zone limits of the Tussing-Bachman Ditch. Due to the existing site constraints, there is limited flexibility to alter the sign location without it being in conflict of the detention basin or public right-of-way. Additionally, the location shown for this sign is similar to that of the Waterloo Crossing sign and Canal Commerce Center sign at the intersection of Winchester Blvd and Gender Road.
Variance #VA-20-005
6411 Dietz Dr

Owners: Marna Maynard
Applicant: Marna Maynard
Location: 6411 Dietz Dr
Existing Zoning: PUD (Planned Unit Development)
Request: Variance from Chapter 1157.04(a)(2) to exceed the maximum 30% lot coverage to install an in-ground pool.

Location and Surrounding Land Uses
The subject property is located in the Villages of Westchester and zoned PUD (Planned Unit Development). The property consists of 0.22 acres on the south side of Dietz Drive. All surrounding properties are also zoned PUD and consist of single-family residential homes.

Request
The applicant is requesting a variance to Section 1157.04(a)(2) of the Zoning Code regarding the applicable maximum lot coverage for a property in the Villages at Westchester.

Analysis
The current 9,707 sq. ft. (0.22 acre) lot contains an existing home which has a footprint of 2,666.18 sq. ft. The applicant would like to put a pool and pool patio in the rear yard of the property. The total square footage of the existing home and the proposed improvements is 3,130.18 sq. ft. The lot coverage on the property including the home and proposed improvements is therefore approximately 32.24%. A breakdown of these figures can be seen in the adjacent table.

Development standards for the property are found in the Villages at Westchester zoning text. The Villages at Westchester zoning text does not address lot coverage, therefore the applicable standard is found in Section 1157.04(a)(2) (Low Density Residential Development Standards) of the Canal Winchester Zoning Code. Section 1157.04(a)(2) allows a maximum lot coverage of 30 percent. The proposed and existing structures on the property encompass a lot coverage of 32.24%, which 2.24% more than permitted.

Recently Variance
- September 11, 2017, variance application #VA-17-010 was approved regarding maximum lot coverage for a property located at 7299 Connor Ave in the Villages at Westchester. That application was to construct a swimming pool and pool patio on a property with an existing home. This variance was approved to allow 3,482 sq. ft. of lot coverage on a lot of 10,400 sq. ft., giving a lot coverage of approximately 33.4%.

- On May 14, 2016, variance application #VA-07-08 was approved regarding maximum lot coverage for a property located at 7236 Bromfield Drive in the Villages at Westchester. That

<table>
<thead>
<tr>
<th>Description</th>
<th>Coverage (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>2,666.18</td>
</tr>
<tr>
<td>Pool + Patio</td>
<td>464</td>
</tr>
<tr>
<td>Total</td>
<td>3,130.18</td>
</tr>
<tr>
<td>Lot Size</td>
<td>9,707</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>32.24%</td>
</tr>
</tbody>
</table>
application was to construct a deck, pool, and pool patio on a property with an existing home. The variance was approved to allow 3,571 sq. ft. of total lot coverage on a lot of 10,120 sq. ft., giving a lot coverage of approximate 35.3 percent.

Criteria For Approval
(a) That special circumstances or conditions exist which are not applicable to other lands or structures in the same zoning district.

(b) That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the provisions of this Zoning Code.

(c) That the special conditions and circumstances do not result from the actions of the applicant.

(d) That the granting of the variance will not confer on the applicant any undue privilege that is denied by this Zoning Code to other lands or structures in the same zoning district.

(e) That the granting of the variance will in no other manner adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

(f) That the granting of the variance is not solely based upon the showing that the property could be put to better economic use than presently permitted by zoning regulations.

(g) That the granting of the variance will not permit a use that is otherwise not permitted within the respective zoning district.

Staff Recommendation
The P&Z Commission should evaluate how they would like to determine lot coverage in the future. Currently, lot coverage is calculated by the ratio of all principal and accessory buildings or structures on a lot to the total lot area. Included in this ratio are porches, decks, patio’s and outdoor pools. Items like egress required stairs and driveways are not calculated in the lot coverage percentage. Many new homes exceed the 30% lot coverage once you take into account the 3 car wide driveways.
VARIANCE APPLICATION

PROPERTY OWNER
Name: Marna Maynard
Address: 6411 Dietz Drive
Daytime Phone: 740-438-0195
Email: vthokies@twc.com

APPLICANT
Name: Marna Maynard
Address: 6411 Dietz Drive
Daytime Phone: 740-438-0195
Email: vthokies@twc.com
Address of Subject Property: 6411 Dietz Drive

Current Zoning: __________________________  Variance Request to Section: __________________________

Requested Variance: To utilize land to approximately 3190

Attach a legal description and current survey (within 2 years) of the subject property and all supporting materials as required by Section 1147.02(c) (see attachment). Additional information may be required by the Planning and Zoning Administrator or the Planning and Zoning Commission.

I certify that the information provided with this application is correct and accurate to the best of my ability.

[Signature]
Property Owner’s or Authorize Agent’ Signature

6/22/2020
Date

Date Received: 6/22/20
Fee: $200 Paid

Historic District: Yes / No
Preservation District: Yes / No
Application: No
Approved: Yes

Expiration Date: __/__/______

Tracking Number: VA- 20-005
Andrew Moore

From: vthokies@twc.com
Sent: Tuesday, June 23, 2020 11:21 AM
To: Andrew Moore
Subject: [EXTERNAL] List of neighbors for Maynard 6411 Dietz

Jeffrey and Pamela Card
6410 Dietz Drive
Canal Winchester, Ohio 43110

Richard and Catherine Kellenberger
7080 Old Creek Lane
Canal Winchester, Ohio 43110

Thomas Richards
7107 Rossman Ct
Canal Winchester, Ohio 43110

James and Ula Prichard
6421 Dietz Drive
Canal Winchester, Ohio 43110

[This message is from an EXTERNAL SOURCE. Use caution when opening links or attachments.]
June 22, 2020

City of Canal Winchester
Attn: Mr. Andrew Moore
Variance Committee
36 South High Street
Canal Winchester, Ohio 43110

Mr. Moore & the Canal Winchester Variance Committee,

I am applying for a variance to install an inground swimming pool and adjacent concrete in my backyard. This project would take the property to approximately 31% land usage.

I am including two drawings of the area, one from the swimming pool installer and one that I completed myself (I am no artist).

I am also including a survey that was completed on June 20, 2020 by Arthur Buford, surveyor (registration number 7634).

I had a swimming pool installed at my previous home, so I am aware of everything that must be completed in order to finish the project (if needed, I can provide pictures of my previous swimming pool to show how it was finished and landscaped). I would like enough concrete around the pool to walk on the sides and a little extra at the east side end to place chairs. The pool will be used by myself, my husband, my children and my grandchildren. My previous pool was not used at night and the plans for this pool do not include a light in the pool because I do not anticipate using the after dark.
I will be putting up a 5 foot high black aluminum swimming pool grade fence with a self-locking latch. I have already received an estimate from one company and I have another company coming to give an estimate on June 23, 2020.

I am enclosing my $200.00 check for the variance application fee.

I have already received approval from Omni Property Management for the fencing and all they need is a copy of the survey for pool approval. I will be forwarding that to them tomorrow.

Please contact me if you need any more information or have any questions.

Sincerely,

Marna Maynard
6411 Dietz Drive
Canal Winchester, Ohio 43110
740 438 0195
vthokies@twc.com
Variance Application Attachment

4A. I have enough space on my lot to install an inground pool and be under the 30% land usage requirement, but I would like to add a cement patio near the pool. There are no special circumstances.

4B. Other properties in The Villages at Westchester, same zoning district, have installed pools and patios that require more than 30% land usage. (Examples given upon request.) The pool and patio that I would like to install are in size relation to the size of my property.

4C. I purchased the home in November of 2018 and have displayed no actions that would result in the need for this variance.

4D. If granted, my property land usage would be approximately between 31.5 and 32%. Some other properties in this zoning district are at approximately this percentage and higher.

4E. I will have a five foot high swimming pool fence with an automatic locking gate as required by the City of Canal Winchester. I will follow all other safety regulations put forth by the City of Canal Winchester.

4F. There is no economic use of this property.

4G. This area will not be used in a way that is not permitted within the zoning district.

Marna Maynard
6411 Dietz Drive
SITE PLAN

Marna E. Maynard

6411 Dietz Drive
Lot 131
The Villages at Westchester Section 2
Canal Winchester, Ohio 43110

Dietz Drive 60'

A = 12.91'
D = 0° 50' 27"
N 68° 06' 55" E 82.09'

20' Easement

30' Building Line

Lot 132

Lot 131
Lot = 9707 Sq. Feet
House = 2514 Sq. Feet

State of Ohio
Professional Surveyor

Arthur L. Burford, P.S.
Registration No. 7634
Date June 20, 2020
Date of Survey
SRF Pools drawing of pool.
Mae Aluminum
Final Development Plan #FDP-20-004  
Turning Stone *AMENDMENT

Owner: Canal Investment Partners, LLC
Applicant: Canal Investment Partners, LLC
Property Location: Turning Stone Subdivision (consisting of 15.75 acres located along High Street and US 33)
Existing Zoning: PUD (Planned Unit District)
Proposed Use: Amendment to the Final Development Plan Text and Exhibits regarding fencing.

Location and Surrounding Land Uses
The subject property, approximately 15.75 acres, consists of seven properties at the intersection of U.S. 33 and North High Street. These properties are zoned PUD and follow the Preliminary Development Text from PDP-17-002, which was adopted by City Council with ORD 17-041 and subsequent Final Development Plan FDP-18-001. Properties to the north across U.S. 33 are zoned GC (General Commercial) and R-3 (Low Density Residential). Properties to the west and south consist of single-family homes zoned R-3. Properties to the east consist of single-family homes in the OT-SF (Old Town Single Family) zoning district. Properties in the OT-SF district are architecturally regulated by the Landmarks Commission.

Analysis
Within the 15.75 acres subdivision there are a total of 76 twin single-family homes approved for development. The site is situated between US 33 and North High Street. The typical lot size for this development is 46’x100’ (4,600 S.F.) These homes are designed where there is a shared wall between two units but each unit will sit on their own individual lot. A 38 total buildings are to be constructed.

The applicant is requesting an amendment to the Final Development Plan to construct a 6 foot vinyl privacy fence to screen units 40-63 that back up to US 33. The 6 foot privacy fence is proposed to be within Reserve “C” and the existing landscaping is proposed to be modified to fit the fence placement. Fencing for the development is regulated on page 8, line F of the approved development text.

“Fencing
1. No fences shall be erected or built on any part of any Lot. Entrance designations, Recreational Fences, fences and any other Structure erected by Declarant, Builder and/or the Association are exempt from this Restriction.”

Based on the existing development text approved with Final Development Plan #FDP-18-001, fencing to be used for screening purposes was not permitted.
During the Preliminary Development Plan approval (PDP-17-002), the applicant requested a deviation from Chapter 1181.04(a) to reduce the amount of public open space from 25% to a minimum of 24%. Chapter 1181.04(a) notes that the "Mandatory Land Dedication Acreage shall be set aside in all residential developments for the provision of public areas in accordance with the municipality's park and recreation master plan. Such public areas shall be used as sites for public parks, open space and recreational areas..."

The Final Development Plan FDP-18-001 for Turning Stone provided a total of 26.9% open space within Reserves A – C (4.24 acres). The breakdown of the open space is as follows:
1. Reserve A: 0.93 acre public park
2. Reserve B: 1.79 acre retention basin
3. Reserve C: 1.52 acre retention basin and natural buffer.

Reserve C is accessible by a 10 easement between lots 41-42 and the commercial outparcel.

During staff’s review of the fencing request, the installation of the fencing along Reserve “C” effectively makes that space unusable. Removing the usability of the 1.52 acres in Reserve “C” takes the amount of usable open space down to 17.2%, below the minimum 24% approved.

Within Reserve C, the city maintained a 20 foot easement along the entire north property line for the raw water line that provides water service for the entire city. The plans submitted show the planting of 51 evergreen trees on both sides of the vinyl privacy fence within a 20 foot area. North of lot 27, there is a note that the trees are to be planted 8 feet away from the fence.

The applicant has indicated that they are requesting to install the privacy fence to provide a visual barrier between this development and US 33. Staff has suggested that the applicant should increase the amount of landscaping and the height of the mound within the area (without the vinyl fence) to achieve a similar affect. Long term maintenance of the fence is going to be a concern with keeping the vinyl clean from mold and mildew along with replacing sections of fencing as they get damaged over time. With the fencing belonging to the HOA it would be more difficult for the city to enforce.

Staff Recommendation
Staff recommends that the request for FDP-20-004 be denied as presented. The applicant can submit an alteration to the approved civil engineering plans to modify the existing mounding and install additional landscaping to help screen the units from US 33 view.
DEVELOPMENT PLAN APPLICATION

__________Preliminary                X Final
( amendment)

PROPERTY OWNER
Name ______________________________
Address ______________________________
Daytime Phone ______________  Email _______________

APPLICANT
Name ______________________________
Address ______________________________
Daytime Phone ______________  Email _______________

Address/Location of Subject Property ________________________________________

Tax Parcel ID ________ Current Zoning ________ PUD ________ Acreage ________

Attach a current survey (within 2 years) of the subject property and all supporting materials as required
by Chapter 1141 and Chapter 1173 as applicable (see attachment). Additional information may be
required by the Planning and Zoning Administrator or the Planning and Zoning Commission.

I certify that the information provided with this application is correct and accurate
to the best of my ability.

____________________________________  _________________
Property Owner’s or Authorize Agent’s Signature                                   Date

DO NOT WRITE BELOW THIS LINE

Date Received: ___ / ___ / ______  Fee: $__________  Historic District: ___ Yes ___ No
Paid □  Preservation District: ___ Yes ___ No

Date of Action: ___ / ___ / ______

Expiration Date: ___ / ___ / ______

Application ___ No
Approved: ___ Yes
___ Yes, with conditions

Tracking Number: PDP - _______________
June 21, 2020

Mr. Lucas Haire, Developmental Director  
Mr. Andrew Moore, Planning and Zoning Administrator  
City of Canal Winchester  
36 S. High Street  
Canal Winchester, OH 43110

RE:  Turning Stone - Proposed Fence Along Rt. 33

Dear Mr. Haire & Mr. Moore,

Enclosed with this letter is an application and supporting materials for a proposed 6’ privacy fence along Rt. 33 at Turning Stone. Despite mounding the area as much as possible and adding additional evergreen trees to the mound, the lack of a physical solid barrier is making it difficult to sell homes along the northern side of the development. A solid fence will give Turning Stone residents additional privacy and separation from the high volume of traffic on Rt. 33.

Enclosed with this letter is an exhibit showing the proposed layout of the fence. It would be placed along the top of the existing mound with evergreen trees on both sides. There would be two sections, as shown on the exhibit, broken up by the storm spillway area between lots 32 & 33.

We have chosen the decorative Largo fence by Weatherables, which has a horizontal midrail and board-on-board design for an updated look. The fence would be white vinyl to match the exterior trim of the homes in Turning Stone and would be broken up by evergreen trees on both the Rt. 33 and interior sides. Since the HOA will be responsible for long-term maintenance of the fence, a lower maintenance vinyl material is being proposed.

I look forward to discussing this proposal in more detail at the July Planning & Zoning meeting. As always, feel free to reach out to me in the interim with any questions.

Sincerely,

Jonathan A. Wilcox  
Principal, Wilcox Communities

cc:  NVR/Ryan Homes

(enclosures)
A.  **Fencing**

1. No fences shall be erected or built on any part of any Lot. Entrance designations, Recreational Facilities, fences and any other Structure erected by Declarant, Builder and/or the Association are exempt from this Restriction. Additionally, a decorative white 6’ vinyl privacy fence shall be permitted on the mound along Rt. 33.

B.  **Patios, Decks and Pergolas**

1. Patios and pergolas are permitted, but shall be professionally designed and may not be constructed or installed without consent of the Board. Decks shall not be permitted.

C.  **Mailboxes/ Addresses**

1. The Builder shall be responsible for the installation of individual mailboxes, cluster mailboxes, or a community mailbox facility. The Association shall be responsible for maintenance of the established mailboxes.

D.  **House Numbering**

1. Each home shall be required to install house numbers in a common location on each home.

E.  **Lighting**

1. Street lighting shall comply with the Zoning Code of The City of Canal Winchester and follow specifications from American Electric Lighting.

2. Landscape lighting for Dwelling Units shall be low-voltage. Outdoor lighting fixtures for safety, security and ingress and egress purposes and shall be fixtures with the light source shielded from off lot visibility (cut off fixtures only).

F.  **Play Equipment**

1. Play sets, basketball hoops and trampolines shall not be permitted.