

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR MEETING
November 28, 2022**

The regular meeting of the Board of Zoning Appeals was called to order by Chair Holinga at 5:30 p.m. at the Grove City Municipal Building, 4035 Broadway. Roll was called. The following members were present:

George Holinga

Mark "Tony" Haughn

Absent: John Brant

Staff present: Michael P. Boso, Chief Building and Zoning Official; Laura Scott, Secretary to the Board of Zoning Appeals; and Jesse Shamp, Attorney, representing the Law Director.

Also present: Lonnie C. Maxson and Michael Maxson of Maxson Builders for 4274 Moore Ave.; Kory and Lori Metcalf for 3917 Elm St.; Stanley W. Young III and Pat Valerius for Aldi, Inc. The speakers were sworn in.

1. ***Motion by Chair Holinga to approve the minutes from the September 26, 2022 meeting. Second by Mr. Haughn.***

VOTE: Haughn, YES; Holinga, YES. **APPROVED.**

The Chair moved to the next item.

2. Hear the appeal of Kory and Lori Metcalf, property owners at 3917 Elm St., (Parcel #040-015377) for the following variances:
 - 1) Section 1135.10-I-(a): to exceed the maximum square footage of 900sf for all garage buildings combined by 1,688sf for a total of 2,588sf.
 - 2) Section 1135.10-I-(a): to construct a barn style accessory building with a combination of wood and metal siding, and metal roof.
 - 3) Section 1137.08 (h): to construct a barn style accessory building with a wall height varying from 9' to 14' in height, or 1' to 6' above the 8' maximum wall height.
 - 4) Section 1137.08 (h): to construct a barn style accessory building 14' tall, exceeding the maximum height of 13' by 1'.

Lori Metcalf explained they would like to replace the old horse barn on the property and use it for storage of lawn equipment. It is no longer in good condition. They purchased the property from the Fletchers who had quarter horses. They would like to replace it with a similar barn-style structure that honors the history of the property and the Beulah Park Racetrack.

Chair Holinga asked for comments. There were none. Chair Holinga asked Mrs. Scott if letters had been sent out to adjoining property owners. Mrs. Scott said yes but, there were no responses. Chair Holinga asked the Metcalf's if they would agree to start construction of the barn within 12 months. They said yes.

Motion by Chair Holinga to grant the appeals of Kory and Lori Metcalf, property owners at 3917 Elm St., (Parcel #040-015377) for the following variances with one stipulation; to begin construction within 12 months. Second by Mr. Haughn.

- 1) ***Section 1135.10-I-(a): to exceed the maximum square footage of 900sf for all garage buildings***

combined by 1,688sf for a total of 2,588sf.

2) *Section 1135.10-I(a): to construct a barn-style accessory building with a combination of wood and metal siding, and metal roof.*

3) *Section 1137.08 (h): to construct a barn-style accessory building with a wall height varying from 9' to 14' in height, or 1' to 6' above the 8' maximum wall height.*

4) *Section 1137.08 (h): to construct a barn-style accessory building 14' tall, exceeding the maximum height of 13' by 1'.*

VOTE: Haughn, YES; Holinga, YES. **APPROVED.**

The applicant was made aware of the 21-day waiting period.

3. Hear the appeal of Lonnie C. Maxson, Maxson Builders, representing the property owners, Joe and Patty Vucjak oft 4274 Moore Ave., (Parcel #040-000370) for the following variances:

1) Section 1135.10-I (a): To exceed the maximum square footage of 900sf for all garage buildings combined by 292sf, for a total garage area of 1,192sf.

2) Section 1135.10-I (a): To construct a steel garage building with a different exterior finish than the main building.

3) Section (Table) 1135.10-I: to encroach the 25' rear yard setback by 8', for a total setback of 17', with a garage.

4) Section (Table) 1135.10-I: to encroach the 6' side yard by 2' with a garage building, for a total side yard setback of 4'.

Lonnie C. Maxson introduced himself and his business partner Michael Maxson. Lonnie C. Maxson explained why the variances are necessary and the benefit to the property owners if the variances are granted. The main reasons are easier maneuverability when parking vehicles, more storage space, parking both vehicles inside, out of weather and securing property inside. The property owners chose a Patina Green color and will be painting the home to match the garage in the Spring. The home is stucco which is more costly and harder to maintain. The garage sits back over one-hundred (100) feet from Moore Ave. At the rear, most of the garage will not be visible to passersby due to the white vinyl fence surrounding the rear yard. He pointed out the exterior finishes of several garages built in the vicinity. He believes the requests are reasonable and honor the spirit and intent of the zoning code. Mr. Haughn confirmed with Lonnie C. Maxson that the old shed had been removed and the exact placement of the garage. Chair Holinga confirmed the applicant agrees to the stipulations. Chair Holinga asked Mrs. Scott if letters had been sent out to adjoining property owners. Mrs. Scott said yes but, there were no responses.

Motion by Chair Holinga to grant the appeals of Lonnie C. Maxson, Maxson Builders, representing the property owners, Joe and Patty Vucjak at 4274 Moore Ave., (Parcel #040-000370) for the following variances with two stipulations 1) to begin construction within 12 months, and 2) to paint the house to match the garage. Second by Mr. Haughn.

1) *Section 1135.10-I (a): To exceed the maximum square footage of 900sf for all garage buildings combined by 292sf, for a total garage area of 1,192sf.*

2) *Section 1135.10-I (a): To construct a steel garage building with a different exterior finish than the main building.*

3) *Section (Table) 1135.10-I: to encroach the 25' rear yard setback by 8', for a total setback of 17', with a garage.*

4) *Section (Table) 1135.10-I: to encroach the 6' side yard by 2' with a garage building, for a total side yard setback of 4'.*

VOTE: Haughn, YES; Holinga, YES. **APPROVED.**

The applicant was made aware of the 21-day waiting period.

4. Hear the appeal of Stanley W. Young, III, representing Branham Sign Co. and Aldi Inc. for 2398 Stringtown Rd., (Parcel #040-005710) for a variance to Section 1145.14 (d); to permit the 164sf east building elevation existing tower glass window image, to remain.

Stanley Young introduced Pat Valerius, Real Estate Project Manager for Aldi Inc. who attended on behalf of Russ White, Director of Real Estate. Mr. Young read a statement from Russ White for the record. He began, "I was in Cleveland today It is Aldi's position that the vertical tower with the images is a part of their national image and has been utilized in every other facility that has been built in the last three years, without an issue. These include Dublin, Hilliard, Hilliard-Rome Rd., Groveport, Westerville, Worthington, Upper Arlington and more stores in the pipeline. These are internally illuminated panels that mount on the inside the windows. It was never his intention to get something by the commission in the beginning, as these were not issues and they assumed it would be okay as it was [not] an issue in all these other cities."

The front elevation of the building sits over three-hundred (300) feet from Stringtown Rd. Aldi has one wall sign and a presence on a shared tenant monument sign at the entrance. The signage is limited in terms of what would be expected for a building closer to the road. Out of 985sf of window area, only 164.7sf of the windows or 17% of the total window area has the images of the fruits and vegetables and the word FRESH. The images architecturally are decorative in nature, add to the site and are not overkill or egregious.

Pat Valerius confirmed they had not run into this problem before. It is their national prototype used all over the country and is integrated into the design of the building. The images are semi-permanent. They will not be changing the signage out with advertisements. The only time it might change is for rebranding. They have been a part of the community since 1992. The store is doing well.

Mr. Haughn asked Mrs. Scott if the city had an opportunity to review the signage prior to installation. She said no, resulting in the notice of violation. She said the signage was identified after the store opening and after final occupancy had been granted.

Chair Holinga asked about challenges from other cities. Mr. Young stated Branham Sign Co. holds the master sign account for Aldi's and he is not aware of any challenges brought by other cities. Pat Valerius explained this is basically a window display cabinet with a vinyl installed on the back of the windows and nothing but a wall behind the window. They don't consider it a sign but a decorative or ornamental image. Mr. Young said the only area he considered to be a sign is the word "fresh". The area with fruits and vegetables is a decorative or ornamental image reflecting the product.

The applicable code sections were reviewed. Mr. Boso spoke in support of the variance noting the distance of the building from Stringtown Rd. and the elevation changes of the lot. He said the sign code does not consider the distance of a building from the right-of-way. Chair Holinga stated a concern for setting a precedent. Jesse Shamp said when it comes to a variance every consideration is very site specific. The board proposed options in support of keeping the signage with three stipulations.

Motion by Chair Holinga to grant the appeal of Stanley W. Young, III, representing Branham Sign Co. and Aldi Inc. for 2398 Stringtown Rd., (Parcel #040-005710) for a variance to Section 1145.14 (d); to permit the 164sf east building elevation existing tower glass window image to remain with three stipulations; 1) the bottom two panels be converted from the words fresh to an appropriate vegetable or fruit and 2) no other window signage be added to the building, and 3) the alterations be completed within 60 days. Second by Mr. Haughn.

VOTE: Haughn, YES; Holinga, YES. **APPROVED.**

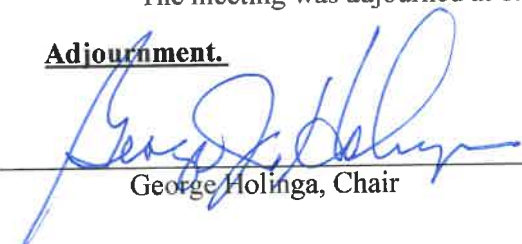
The applicant was made aware of the 21-day waiting period.

5. New business. The 2023 Board of Zoning Appeals meeting schedule was approved.

VOTE: Haughn, YES; Holinga, YES. **APPROVED.**

The meeting was adjourned at 6:12 p.m.

Adjournment.


George Holinga, Chair


Laura Scott, Secretary