



New Albany Board of Zoning Appeals Meeting Agenda
October 28, 2024 at 6:30 pm

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city's website at <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call to order

II. Roll call

III. Action on minutes August 26, 2024

IV. Additions or corrections to the agenda

Administer oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."

V. Hearing of visitors for items not on tonight's agenda

VI. Cases

VAR-74-2024 Variance

Variance to codified ordinance 1169.16(d) relating to the size of signage and sign relief for Pharmavite located at 13700 Jug Street (095-111756-00.012).

Applicant: Zoning Resources c/o Rebecca Green

Motion to accept the staff reports and related documents into the record for - VAR-74-2024.

Motion to approve application VAR-74-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

- **City Code Amendment Workshop: C.O. 1169 Sign Regulations Update**
- **Attendance of Members Rule Update – Amendments to C.O. 159.02(d)**

VIII. Poll members for comment

IX. Adjournment



New Albany Board of Zoning Appeals
August 26, 2024 Meeting Minutes - DRAFT

I. Call to order

The New Albany Board of Zoning Appeals held a regular meeting on August 26, 2024 in the New Albany Village Hall. Vice-Chair Jacob called the meeting to order at 6:31 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

Chair LaJeunesse	absent
Mr. Schell	present
Mr. Jacob	present
Ms. Samuels	present
Mr. Smith	present
Council Member Shull	present

Having four voting members present, the board had a quorum to transact business.

Staff members present: Planner Cratic-Smith, Planning Manager Mayer, Planner Saumenig, Deputy Clerk Madriguera.

III. Action on minutes June 24, 2024

Vice-Chair Jacob asked if there were any corrections to the minutes from the June 24, 2024 meeting. Hearing none, he moved for approval of the June 24, 2024 meeting minutes. Board Member Schell seconded the motion.

Upon roll call: Mr. Jacob yes, Mr. Schell yes, Ms. Samuels yes, Mr. Smith yes. Having four yes votes, the motion passed and the June 24, 2024 meeting minutes were approved as submitted.

IV. Additions or corrections to agenda

Vice-Chair Jacob asked whether there were any additions or corrections to the agenda.

Planning Manager Mayer answered none from staff.

Vice-Chair Jacob administered the oath to all present who planned to address the board.

V. Hearing of visitors for items not on tonight's agenda

Vice-Chair Jacob asked if there were any visitors present who wished to be heard for an item not on the agenda.

Hearing none, Vice-Chair Jacob introduced the first case and asked to hear from staff.

VI. Cases

VAR-56-2024 Variance

Variance to codified ordinance 1169.16(d) to the size of signage for DSV located at 11555 Briscoe Parkway (095-112062.00.002).

Applicant: Signcom, Inc. c/o Kylie Cochran

Planner Saumenig delivered the staff report.

Board Member Samuels moved to accept the staff reports and related documents into the record for VAR-56-2024. Board Member Smith seconded the motion.

Upon roll call: Ms. Samuels yes, Mr. Smith yes, Mr. Jacob yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for VAR-56-2024.

Vice-Chair Jacob asked if there was anyone present who wished to comment on the application.

Applicant and Designer Bruce Sommerfelt, Signcom, Inc. 527 W. Rich Street, spoke in support of the application. He thanked Planner Saumenig and stated that he was available to answer any questions.

Board Member Smith asked whether the request for the variance was to assist trucks picking up and delivering goods to the distribution center.

Mr. Sommerfelt answered yes, it was also needed for employee wayfinding.

Board Member Samuels asked whether, given the feedback in the staff report, a code update was needed.

Planner Saumenig responded that yes, staff would be workshopping a sign regulations code update during VII. Other business.

Vice-Chair Jacob asked whether there were any further questions or comments.

Hearing none, Board Member Samuels moved to approve VAR-56-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Board Member Smith seconded the motion.

Upon roll call: Ms. Samuels yes, Mr. Smith yes, Mr. Jacob yes, Mr. Schell yes. Having four yes votes, the motion passed and VAR-56-2024 was approved.

The board thanked Mr. Sommerfelt and wished him good luck.

Vice-Chair Jacob introduced VAR-58-2024 and asked to hear from staff.

VAR-58-2024 Variances

Variance to codified ordinance 1165.04(a) to allow a detached garage to be 1,920 square feet where code permits a maximum of 1,600 square feet and to project beyond the front elevation of the primary structure at 9 New Albany Farms (222-000980).

Applicant: Tuscarawas Construction, LTD

Planner Cratic-Smith delivered the staff report.

Vice-Chair Jacob moved to accept the staff reports and related documents into the record for VAR-58-2024. Board Member Schell seconded the motion.

Upon roll call: Mr. Jacob yes, Mr. Schell yes, Mr. Smith yes, Ms. Samuels yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for VAR-58-2024.

Vice-Chair Jacob asked whether there was anyone present who wished to comment on the application.

Applicant and Contractor for the project Dean Detweiler spoke in support of the application. He thanked Planner Cratic-Smith. He explained that he had analyzed placement of the garage in other locations on the property but because of the wetlands, the proposed location was the most suitable. Furthermore because the garage doors would not be facing the road, the proposed orientation would be more appealing.

Board Member Schell asked whether there had been feedback from the neighbors.

Planner Cratic-Smith answered no.

Board Member Schell confirmed that there is surrounding precedent supporting this request, and observed that a code update permitting this type of construction for larger estate homes would be helpful.

Planning Manager Mayer remarked that these lots are so few in number there was little value in changing the code. He further commented that staff feels as though this is an appropriate request.

Board Member Smith asked whether there will there be a residence in the new garage and whether there is any connection between the existing garage and the new garage.

Mr. Detweiler answered no to both questions. He explained that creating a connection would take significant work.

Vice-Chair Jacob asked if there were any other questions. Hearing none, he stated that he was on board to approve the application.

Board Member Schell moved to approve VAR-58-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Vice-Chair Jacob seconded the motion.

Upon roll call: Mr. Schell yes, Mr. Jacob yes, Mr. Smith yes, Ms. Samuels yes. Having four yes votes, the motion passed and VAR-58-2024 was approved.

The board wished Mr. Detweiler good luck.

Chair Jacob moved to Other business, the City Code Amendment Workshop: C.O. 1169 Sign Regulations Update, and asked to hear from staff.

VII. Other business

City Code Amendment Workshop: C.O. 1169 Sign Regulations Update

Planner Saumenig discussed the current sign regulations and the proposed update.

Vice-Chair Jacob acknowledged that New Albany has an ongoing commitment to enacting regulations suited to the needs of its own businesses and residents.

There was discussion on the following issues:

- what is considered a building entrance,

- whether the proposed update would permit multiple signs on a single side of the building,
- whether a percentage or an outright number was more useful and further whether each tenant in a multi-tenant building could have a sign that uses 1% of the facade,
- whether there were sufficient protections for current and future residential neighbors (six business tenants would each get 1%),
- whether businesses would have the discretion to orient and locate the sign,
- whether there should be a maximum and whether the size of the sign rather than the square footage should be used as a measure,
- whether the regulations should include a tiered approach
- whether “not to exceed” language should be used in order to preserve the scale.

The board thanked staff for their work on this issue, and also observed that the variance process worked well.

Planning Manager Mayer thanked the board and stated that staff would continue to research and work on this issue and return to the board for further input.

VIII. Poll members for comment

Vice-Chair Jacob polled members for comment.

IX. Adjournment

Hearing no comments from the members, Vice-Chair Jacob moved for adjournment. Board Member Samuels seconded the motion.

Upon roll call: Mr. Jacob yes, Ms. Samuels yes, Mr. Schell yes, Mr. Smith yes. Having four yes votes, the motion passed and the August 26, 2024 meeting of the New Albany Board of Zoning Appeals was adjourned at 7:15 p.m.

Appendix

VAR-56-2024

Staff Report

Record of Action

VAR-58-2024

Staff Report

Record of Action



**Board of Zoning Appeals Staff Report
August 26, 2024 Meeting**

**DSV
SIGN VARIANCE**

LOCATION: 11555 Briscoe Parkway (PID: 095-112062-00.002)
APPLICANT: Signcom, Inc. c/o Kylie Cochran
REQUEST: Variance to C.O. 1169.16(d) to allow the size of wall signs to be 166.25 square feet where code permits a maximum of 75 square feet.
ZONING: Technology Manufacturing District (TMD)
STRATEGIC PLAN: Employment Center
APPLICATION: VAR-56-2024

Review based on: Application materials received July 26, 2024.

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The applicant requests the following variance related to a new sign package for the DSV building located in the Licking County portion of the New Albany Business Park and accessed off Harrison Road, Briscoe Parkway, and Clover Valley Road.

Variance to C.O. 1169.16(d) to allow the size of wall signs to be 166.25 square feet where code permits a maximum of 75 square feet. There are two proposed 166.25 square feet wall signs.

II. SITE DESCRIPTION & USE

The DSV building is located at the southwest intersection of Briscoe Parkway and Clover Valley Road. The property is 75.05 +/- acres. It is part of the New Albany Business Park within Licking County. There are several other businesses located north, south, and west of the building. The residential parcels adjacent to the east of the site are not within New Albany's jurisdiction.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the "practical difficulties" standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. ASSESSMENT

Considerations and Basis for Decision

A variance request to C.O. 1169.16(d) to allow the size of the wall signs to be 166.25 square feet where code permits a maximum of 75 square feet.

The following should be considered in the decision of the board:

1. A variance request to C.O. 1169.16(d) to allow the size of the wall signs to be 166.25 square feet where code permits a maximum of 75 square feet.
2. C.O. 1169.16(d) states that one wall sign, up to 75 sq. ft. in size, is permitted to be installed per building frontage. The building has three frontages and a total of three walls sign are allowed. The applicant proposes to install two wall signs: one on the east elevation (facing Clover Valley Road) and one on the north elevation (facing Briscoe Parkway). Both signs are identical in content, color, and size.
 - a. Signs: features the company logo. They are each 166.25 +/- square feet. This exceeds the maximum area requirement according to the city sign code and is what the Board of Zoning Appeals is evaluating.
3. The variance request does not appear to be substantial due to the large size of the building which 1.2 million square feet. The building is approximately 571.3 feet long on its east façade and 2,123 feet long on its north facade. Due to this large size, the proposed wall signs appear to be appropriately scaled in relation to the size of the building. If the applicant were to install a wall sign that met code requirements, it may appear under scaled and out of place on the larger building.
4. The spirit and intent of the zoning code is preserved because it ensures that the signs are appropriately scaled and designed for the building that they are located on. The city sign code

requires signs to “integrate with the building/site on which they are located and adjacent development in scale, design, and intensity. For example, large signs are best suited for buildings with larger massing.” The proposed signs meet this intent as they are well designed and appropriately scaled in relation to the large warehouse building thereby making the size appropriate in this case.

5. It does not appear that the essential character of the immediate area will be altered if the variance is granted. The site is located in the New Albany Business Park and the building’s large setbacks from the public roads reduce the visual impact of the wall signs
6. The granting of the variance will not confer on the applicant any special privileges because the city Board of Zoning Appeals (BZA) has approved similar variances. There have been a wide range of approvals for sign variances for size:
 - a. The largest variance sign size was approved by the board in April 2021. Amazon requested a wall sign at 297 square feet for a building at approximately 1,271 feet long and about 50 +/- feet in height. Therefore, the square footage for the façade is 63,550 square feet making the sign less than 1% of the façade.
 - b. The smallest sign size variances request was approved by the board in August 2023. Amgen requested a wall sign at 98 square feet for a building 540 feet long and 35 feet in height. The building façade’s area is 18,900 square feet making the sign area about 1% of the façade’s area.
7. The variance request does not appear to be substantial because the sign is an appropriate size for the large warehouse façade.
 - a. The square footage of the east building façade is approximately 25,709 square feet making the total of the wall sign just 0.65% of the building façade.
 - b. The square footage of the north building façade is approximately 95,535 square feet making the total of the wall sign just 0.17% of the building façade.
 - c. Due to this large size, the proposed wall signs appear to be appropriately scaled in relation to the size of the building. If the applicant were to install wall signs that met code requirements, the signs would be under scaled and appear out of place on the larger building.
8. Granting the variance will not adversely affect the health, safety or general welfare of persons living in the immediate vicinity.
9. Granting the variance will not adversely affect the delivery of government services.

IV. SUMMARY

Even though the signs are larger than code allows they are still appropriately integrated with the building/site on which it is located and the adjacent development in scale, design, and intensity. The two proposed signs are below 1% of the applicable building facades which will minimize the visual impact. Therefore, the request does not appear to be substantial.

V. ACTION

Should the Board of Zoning Appeals find that the application has sufficient basis for approval, the following motions would be appropriate. Conditions of approval may be added.

Move to approve application VAR-56-2024.

Approximate Site Location:



Source: NearMap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Signcom, Inc.,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 27, 2024

The New Albany Board of Zoning Appeals took the following action on 08/26/2024 .

Variance

Location: 11555 Briscoe Parkway

Applicant: Signcom, Inc.

Application: PLVARI20240056

Request: Variance to codified ordinance 1169.16(d) to the size of signage for DSV located at 11555 Briscoe Parkway (095-112062.00.002).

Motion: To approve

Commission Vote: Motion Approval Recommended, 4-0

Result: Variance, PLVARI20240056 was Approval Recommended, by a vote of 4-0.

Recorded in the Official Journal this August 27, 2024

Condition(s) of Approval:

Staff Certification:

A handwritten signature in cursive script that reads "Sierra Saumenig".

Sierra Saumenig
Planner



**Board of Zoning Appeals Staff Report
August 26, 2024 Meeting**

**9 NEW ALBANY FARMS ROAD
DETACHED GARAGE VARIANCE**

LOCATION: 9 New Albany Farms (PID: 222-000980)
APPLICANT: Tuscarawas Construction LLC c/o Dean Detweiler
REQUEST: A. Variance to codified ordinance chapter 1165.04(a)(1) to allow a detached garage to be 1,920 square feet.
B. Variance to codified ordinance chapter 1165.04(a)(2)(A) to allow the detached garage to project beyond the front elevation of the primary structure and located within the front yard.
ZONING: R-1 Residential Estate District
STRATEGIC PLAN: Residential
APPLICATION: VAR-58-2024

Review based on: Application materials received on July 26, 2024.

Staff report prepared by Sierra Cratic-Smith, Planner I.

I. REQUEST AND BACKGROUND

The applicant requests two variances for a new detached garage. The applicant requests a variance to allow a detached garage to be 1,920 square feet where code permits a maximum of 1,600 square feet and a second variance to allow the detached garage to project beyond the front elevation of the primary structure and be located within the front yard setback.

II. SITE DESCRIPTION & USE

The property is 4.4 acres in size and contains a residential home. The property is within the New Albany Farms subdivision. The home is east of Reynoldsburg New Albany Road/US Route 605 and west of New Albany Farms Road. The surrounding properties are zoned Residential Estate District (R-1) and contain residential homes.

III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03 and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

Criteria

The standard for granting an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

IV. EVALUATION

A. Variance to allow a detached garage to be 1,920 square feet where city codified ordinance Chapter 1165.04(a)(1) permits a maximum of 1,600 square feet.

The following should be considered in the board’s decision:

1. This variance requests to allow a detached garage to be 1,920 square feet where city-codified ordinance Chapter 1165.04(a)(1) permits a maximum of 1,600 square feet.
2. The variance does not appear to be substantial. The New Albany Farms subdivision has some of the largest estate properties in the city. The property is 191,664 square feet large and the new garage is proposed to be 1,920 square feet large. Therefore, the new proposed garage will only make up 1% of the lot.
3. The variance preserves the spirit and intent of the zoning requirement because it is one of the largest lots in New Albany. The city code requires maximum square footage for detached structures based on the size of a lot.
 - a. The city code regulations for the size of detached structure is “for lots less than one acre, a structure may have an area up to eight hundred (800) square feet; for lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred (1,200) square feet, and for lots larger than two (2) acres may have an area up to one thousand six hundred (1,600) square feet.”
 - b. Because the lot is significantly larger than most in New Albany, the increased size of the garage appears to be appropriately sized for the lot. The city code does not contemplate lots this large.
4. That granting the variance requested will not confer on the applicant any special privilege because similar variances were approved in the New Albany Farms subdivision. These include:

- a. 10 New Albany Farms Road was approved for a detached garage to be 2,560 square feet by the Board of Zoning Appeals in 2015.
 - b. 1 Balfour Green was approved for a detached garage to be 2,040 square feet by the Board of Zoning Appeals in 2021.
5. The granting of the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.
 6. This variance does not negatively impact the delivery of government services.

B. Variance to city codified ordinance Chapter 1165.04(a)(2)(A) to allow the detached garage to project beyond the front elevation of the primary structure and located within the front yard.

The following should be considered in the board's decision:

1. This variance requests to city codified ordinance Chapter 1165.04(a)(2)(A) to allow the detached garage to project beyond the front elevation of the primary structure and be located within the front yard.
2. There is a large 360-foot building setback line established by the subdivision plat that reduces the amount of space for the home and garage. The proposed detached garage encroaches into the 360-foot building line where buildings or structures are prohibited from being located. The detached garage is approximately 281+/- feet from the front (northern) property line from where the plat established the 360 foot building line.
 - a. It appears the problem cannot be solved by some manner other than the granting of a variance due to the built environment, platted setbacks and environmental constraints due to the creek.
3. The variance does not appear to be substantial since the site is located within a private subdivision and it is not visible from the public streets outside of the subdivision. There is a significant tree row along the west and southern property lines that screen it from Reynoldsburg-New Albany Road.
4. The applicant states the location of the garage is intentional because of the function of the lot. The new garage is adjacent to the existing driveway and garage to allow cars direct access to parking area instead of having to create a new driveway.
5. There are special conditions and circumstances that exist which are peculiar to the land:
 - a. The lot is a "flag" shaped lot which means access to the road is provided along the long narrow "flag pole," and the shape of the lot is rectangular, as a flag. Due to the shape of the lot the house does not front New Albany Farms Road. The garage doors face the neighboring property.
 - b. There is an existing creek with a 30-foot drainage easement that runs along the western property line. Due to the location of the home (primary structure) and the creek, there is insufficient space to locate the detached garage along the side or behind the house on this side of the lot.
6. The essential character of the neighborhood would not be substantially altered. The applicant states the design of the garage will use the same materials as the existing home, including board and batten siding on the gable and red brick clad on the exterior. The city architect has reviewed the variance application and has issued the following comments to ensure the garage appears as an extension of the home:
 - a. The gable siding should be entirely replaced with brick. The city staff recommends this be a condition of approval (condition #1).
 - b. All eaves, dormers, rakes, trim, etc. must match the existing garage conditions that is attached to the house. The city staff recommends this be a condition of approval (condition #2).
 - c. The proportions of the windows should match the existing garage that is attached to the house. The city staff recommends this be a condition of approval (condition #3).

7. The granting of the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.
8. This variance does not negatively impact the delivery of government services.

IV. SUMMARY

Due to the site's existing building and environmental constraints, the applicant is locating the detached structure in front of the primary structure. There is a significant amount of buffering that prevents the visibility of the garage from the public streets. The detached garage's size does not appear to be substantial. With the conditions of approval, the detached garage will appear to be an extension of the primary home.

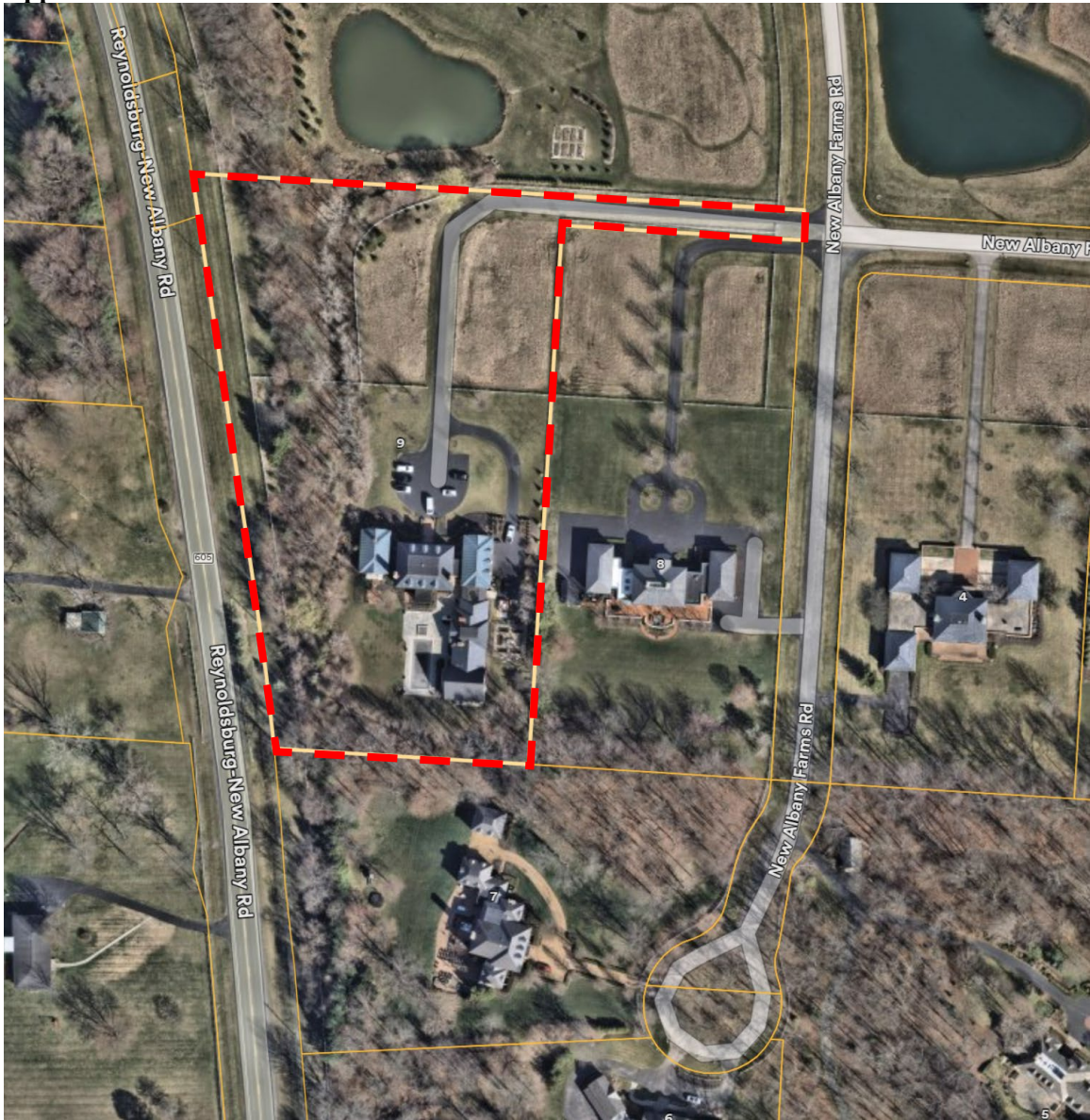
V. ACTION

Should the Board of Zoning Appeals find that the application has sufficient basis for approval, finding the following motion is appropriate.

Move to approve application VAR-58-2024 based on the findings in the staff report (conditions of approval may be added).

1. The gable siding should be entirely replaced with brick, subject to staff approval.
2. All eaves, dormers, rakes, trim, etc. must match the existing garage that is attached to the house, subject to staff approval. The proportions of the windows should match the existing garage that is attached to the house, subject to staff approval.

Approximate Site Location:



Source: NearMap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Dean Detweiler,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 27, 2024

The New Albany Board of Zoning Appeals took the following action on 08/26/2024 .

Variance

Location: 9 NEW ALBANY FARMS RD

Applicant: Tuscarawas Construction Ltd

Application: PLVARI20240058

Request: (A) Variance to codified ordinance 1165.04(a)(1) to allow the detached garage to be 1,920 square feet where code requires lots larger than 2 acres to be a maximum of 1,600 square feet.

(B) Variance to allow a garage to project 16 feet beyond the front façade of a house whereas the city codified ordinance Chapter 1165.04(a)(2)(A) requires detached structures not to project beyond any front elevation of the primary structure or located within the front yard at 9 New Albany Farms (222-000980).

Motion: To Approve

Commission Vote: Motion Approved with Conditions, 4-0

Result: Variance, PLVARI20240058 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this August 27, 2024

Condition(s) of Approval:

1. The gable siding should be entirely replaced with brick, subject to staff approval.
2. All eaves, dormers, rakes, trim, etc. must match the existing garage that is attached to the house, subject to staff approval. The proportions of the windows should match the existing garage that is attached to the house, subject to staff approval.

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith
Planner



**Board of Zoning Appeals Staff Report
October 28, 2024 Meeting**

**PHARMAVITE
SIGN VARIANCE**

LOCATION: 13700 Jug Street (PID: 095-111756-00.012)
APPLICANT: Columbus Sign Company / Zoning Resources c/o Rebecca Green
REQUEST: (A) Variance to C.O. 1169.16(d) to allow the size of a wall sign to be 143.6 square feet where code permits a maximum of 75 square feet.
(B) Variance to C.O. 1169.16(d) to allow the sign relief to be at ½ inch where code requires a minimum of 1 inch.
ZONING: Limited General Employment (L-GE) Jug Street North Limitation Text
STRATEGIC PLAN: Employment Center
APPLICATION: VAR-74-2024

Review based on: Application materials received September 14, 2024.

Staff report prepared by Kylie Blackburn, Planner

I. REQUEST AND BACKGROUND

The applicant requests the following variances related to a new sign for the Pharmavite building located in the New Albany International Business Park.

- (A) Variance to C.O. 1169.16(d) to allow the size of the wall sign to be 143.6 square feet where code permits a maximum of 75 square feet.
- (B) Variance to C.O. 1169.16(d) to allow the sign relief to be at ½ inch where code requires a minimum of 1 inch.

II. SITE DESCRIPTION & USE

The Pharmavite building is located northwest of the Jug Street and Harrison Road intersection. The structure spans approximately 720 feet in width and reaches a height of 30 feet, with its primary facade oriented towards Jug Street. It encompasses a total floor area of 219,968 square feet and is setback approximately 550 feet from the public right-of-way. The property is 41.7 +/- acres, located in the New Albany International Business Park, and is surrounded by similarly zoned and used properties.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. ASSESSMENT

Considerations and Basis for Decision

(A) Variance to C.O. 1169.16(d) to allow the size of a wall sign to be 143.6 square feet where code permits a maximum of 75 square feet.

The following should be considered in the decision of the board:

1. C.O. 1169.16(d) states that one wall sign, up to 75 sq. ft. in size, is permitted to be installed per building frontage. The building has one frontage and a total of one wall sign is allowed. The applicant proposes to install one wall sign. On the south elevation (facing Jug Street).
 - a. Sign: features the company logo, the text “Pharmavite”, and is 143.6 sq. ft. in size and is non-illuminated. This exceeds the maximum area requirement according to the city sign code.
2. The variance request does not appear to be substantial due to the large size of the building which is 219,968 square feet. The building is approximately 720 feet in width and 30 feet in height on its south façade. Due to the large size, the proposed wall sign appears to be appropriately scaled in relation to the size of the building. If the applicant were to install a wall sign that met code requirements, it may appear under-scaled and out of place on the

larger building.

3. The spirit and intent of the zoning code is preserved since the signs are appropriately scaled and designed for the building on which they are located. The city sign code requires signs to “integrate with the building/site on which they are located and adjacent development in scale, design, and intensity. For example, large signs are best suited for buildings with larger massing.” The proposed sign meets this intent. It is well designed and appropriately scaled in relation to the large warehouse building thereby making the size appropriate in this case.
4. It does not appear that the essential character of the immediate area will be altered if the variance is granted. The site is located in the Business Park District and the building’s 550-foot setback from the public road reduces the visual impact of the wall sign.
5. The granting of the variance will not confer on the applicant any special privileges because the city Board of Zoning Appeals (BZA) has approved similar variances. There have been a wide range of approvals for sign variances for size:
 - a. The largest variance sign size was approved by the board in April 2021. Amazon requested a wall sign at 297 square feet for a building at approximately 1,271 feet long and about 50 +/- feet in height. Therefore, the square footage for the façade is 63,550 square feet making the sign less than 1% of the façade.
 - b. The smallest sign size variances request was approved by the board in August 2023. Amgen requested a wall sign at 98 square feet for a building 540 feet long and 35 feet in height. The building façade’s area is 18,900 square feet making the sign area about 1% of the façade’s area.
6. The variance request does not appear to be substantial because the sign is an appropriate size for the large warehouse façade.
 - a. The square footage of the building face is approximately 21,600 square feet making the total of wall sign just 0.66% of the building façade.
 - b. Due to this large size, the proposed wall signs appear to be appropriately scaled in relation to the size of the building. If the applicant were to install wall signs that met code requirements, the signs would be under-scaled and appear out of place on the larger building.
7. Granting the variance will not adversely affect the health, safety, or general welfare of persons living in the immediate vicinity.
8. Granting the variance will not adversely affect the delivery of government services.

(B) Variance to C.O. 1169.16(d) to allow the sign relief to be at ½ inch where code requires a minimum of 1 inch.

The following should be considered in the decision of the board:

1. C.O. 1169.16(d) states that wall signs must have a relief (depth) of no less than 1 inch and no more than 18 inches.
 - a. Sign: The logo and text are proposed to have a ½ inch relief. This is less than the minimum depth requirement according to the city sign code so a variance is required.
2. The problem may be solved by some manner other than the granting of a variance if the applicant made the sign deeper, projected the sign from the building with mounts or brackets, or used another sign material. The applicant indicates that sourcing materials for solid 1-inch letters is challenging and that production requires a specialty sign shop.
3. The variance request does not appear to be substantial. The applicant states that, due to the sign’s distance of over 550 feet from the right-of-way, the difference in appearance between 1-inch and ½-inch relief is negligible.
4. The city staff could not find any other cases when the city board and commissions have approved a variance for sign relief historically.
5. The “spirit and intent” of the zoning requirement is to add more visual interest and help to make it stand out from the building. While the sign is not meeting the relief requirements to help the sign stand out from the building, the sign is silver metallic aluminum which helps it stand out from the building and adds visual interest. Granting the variance will not alter the essential character of the immediate area. The property is located in the Business Park District, with substantial setbacks (550 feet from public roads). Granting the variance will not

adversely affect the health, safety, or general welfare of persons living in the immediate vicinity.

6. Granting the variance will not adversely affect the delivery of government services.

IV. SUMMARY

Even though the proposed wall sign is larger than the code allows it is still appropriately integrated with the building/site on which it is located and the adjacent development in scale, design, and intensity. The proposed sign is below 1% of the applicable building facades which will minimize the visual impact. Even though the sign relief is smaller than the code allows it would not impede the visual impact. However, an alternative mounting method may be considered to ensure compliance with the minimum sign relief requirements. Therefore, the request does not appear to be substantial.

V. ACTION

Should the Board of Zoning Appeals find that the application has sufficient basis for approval, the following motions would be appropriate. Conditions of approval may be added.

Move to approve application VAR-74-2024.

Approximate Site Location:



Source: NearMap

Permit # _____
 Board _____
 Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>13700 Jug St NW, Albany, OH</u> Parcel Numbers <u>095-111756-00.012</u> Acres <u>41.7</u> # of lots created _____																																																											
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="4" style="text-align: left;">Circle all Details that Apply</th> </tr> <tr> <td><input type="checkbox"/> Appeal</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td>Final</td> <td>Comprehensive</td> <td>Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td>Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td><td></td><td></td><td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td></td> <td>Text Modification</td> <td></td> </tr> </table>	Choose Application Type	Circle all Details that Apply				<input type="checkbox"/> Appeal					<input type="checkbox"/> Certificate of Appropriateness					<input type="checkbox"/> Conditional Use					<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment	<input type="checkbox"/> Plat	Preliminary	Final			<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment		<input type="checkbox"/> Minor Commercial Subdivision					<input type="checkbox"/> Vacation	Easement		Street		<input type="checkbox"/> Variance					<input type="checkbox"/> Extension Request					<input checked="" type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification
Choose Application Type	Circle all Details that Apply																																																											
<input type="checkbox"/> Appeal																																																												
<input type="checkbox"/> Certificate of Appropriateness																																																												
<input type="checkbox"/> Conditional Use																																																												
<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment																																																								
<input type="checkbox"/> Plat	Preliminary	Final																																																										
<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment																																																									
<input type="checkbox"/> Minor Commercial Subdivision																																																												
<input type="checkbox"/> Vacation	Easement		Street																																																									
<input type="checkbox"/> Variance																																																												
<input type="checkbox"/> Extension Request																																																												
<input checked="" type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification																																																									
Description of Request: <u>To install a 143.6sf wall sign that exceeds the allowable 75sf, for a variance of 68.6sf. To allow a wall sign with less than 1 inch sign relief for a variance of 1/2 inch of sign relief. Please see the attached statement in support.</u>																																																												
Contacts	Property Owner's Name: <u>Pharmavite LLC</u> Address: <u>8631 Fallbrook Ave</u> City, State, Zip: <u>West Hills, CA 91304</u> Phone number: _____ Fax: _____ Email: _____																																																											
	Applicant's Name: <u>Columbus Sign Company / Zoning Resources - Contact: Rebecca Green</u> Address: <u>74 Glen Dr Worthington OH 43085</u> City, State, Zip: _____ Phone number: <u>614-496-4220</u> Fax: _____ Email: <u>rebecca@zoningresources.com</u>																																																											
Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.																																																											
	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 60%; vertical-align: top;"> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Signature of Owner</td> <td style="width: 50%; border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div> </td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of Applicant</td> <td style="border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div> </td> </tr> </table> </td> <td style="width: 40%; vertical-align: top; padding-left: 20px;"> Date: <u>9/14/2024</u> Date: <u>9/14/2024</u> </td> </tr> </table>	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Signature of Owner</td> <td style="width: 50%; border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div> </td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of Applicant</td> <td style="border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div> </td> </tr> </table>	Signature of Owner	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div>	Signature of Applicant	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div>	Date: <u>9/14/2024</u> Date: <u>9/14/2024</u>																																																					
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Signature of Owner</td> <td style="width: 50%; border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div> </td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of Applicant</td> <td style="border-bottom: 1px solid black;"> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div> </td> </tr> </table>	Signature of Owner	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div>	Signature of Applicant	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div>	Date: <u>9/14/2024</u> Date: <u>9/14/2024</u>																																																							
Signature of Owner	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Signed by: Brian Vogel </div>																																																											
Signature of Applicant	<div style="border: 1px solid blue; padding: 2px; display: inline-block;"> Rebecca Green </div>																																																											

Pharmavite – Wall Sign Variance
Statement in Support
13700 Jug St NW, Albany, OH

*1169.16.d.2. The following specifications shall apply. These specifications are in addition to the requirements established elsewhere in this Chapter. In addition, board or commission approval may be required:
Commercial Warehousing – One per building frontage, 1sf per linear sf of building frontage, not to exceed 75sf.*

Request: To install a 143.6sf wall sign that exceeds the allowance of 75sf for a variance of 68.6sf.

*1169.16.d.2. The following specifications shall apply. These specifications are in addition to the requirements established elsewhere in this Chapter. In addition, board or commission approval may be required:
Commercial Warehousing – Minimum 1 inch sign relief.*

Request: To install a wall sign with ½ inch of sign relief that is less than 1 inch of sign relief, for a variance of ½ inch.

A - That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.

The Pharmavite building is approximately 720ft in width and 30ft high and faces Jug Street. It has a floor space of 219,968sf. The primary structure is about 550ft from the public right-of-way. Applicant is proposing a 143.6sf wall sign on a 21,600sf building face. The sign will be directly placed over the main entrance identifying the how to access the building.

The sign is composed of two parts. The Pharmavite logo is 26.63sf and the text “Pharmavite” is 34.56sf for a total of 61.19sf. Because the City uses the rectangle method of measuring sign area, the City measures the wall sign at 143.6sf. Since the sign is composed of individual flat cut, aluminum letters and logo, most of the 143.6sf sign area is wall façade and not the letters nor logo. The sign is non-illuminated, sized appropriately for the awning over the entrance, and centered over the main entrance for enhanced wayfinding. It is visually appropriate for the façade when viewed from Jug Street.

Pharmavite also asks for a variance for sign relief of less than 1 inch. Materials are difficult to obtain for a solid 1 inch letter and cutting the letters must be accomplished in a specialty sign shop. The sign is more than 550ft from the right-of-way so the visual difference between a 1 inch relief letter and a ½ inch relief letter is minimal.

B – That a literal interpretation of the provisions of Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.

Other properties in the district enjoy more than wall sign are exceeding 75sf. The Amazon building was allowed two wall signs which exceed 75sf on its large commercial building; the Amplify Bio building was allowed three wall signs which exceed 75sf on its large commercial building. The proposed signage is less than 1% of the total Pharmavite front façade area.

The difference between a 1 inch sign relief and a ½ inch sign relief will not be noticeable on such a large building façade at 550ft from the right-of-way.

C – That the special conditions and circumstances do not result from the action of the applicant.

Applicant did not cause the special conditions and circumstances. This large building is in a neighborhood being developed with large commercial buildings. Larger signage is needed to identify the building from the Jug Street.

D – That granting the variance request will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same district. The minimal difference in sign relief will not be visually significant.

The granting of this variance will not confer any special privilege. Buildings in the neighborhood have similar signage.

E – That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to the private property or public improvements in the vicinity.

The granting of this variance will not adversely affect the vicinity or the people living or working in the area or the improvements in the vicinity. The proposed signage will provide the appropriate visual cues to individuals seeking to find Pharmavite so that they can safely access the site without causing any disturbance along Jug Street.

**Appendix A
Zoning Plan Review Comments**

Date:	06/06/24	Plan Reviewer:	Sierra Cratic-Smith
Permit Number:	PRSI20240328	Status:	Denied - Corrections Required

Items of Non-compliance	Applicant's Option (see below)
<p>The proposed wall sign is 143.6 square feet. According to the city codified ordinance Chapter 1169.16(d), the maximum square footage is 75 square feet.</p> <p>The two options are:</p> <ol style="list-style-type: none"> 1. Reduce the size of the sign. 2. Apply for a variance. <p>Contact Sierra Cratic-Smith at 614-245-8872 or scratics@newalbanyohio.org for a variance request.</p>	
<p>Applicant's Options</p> <ol style="list-style-type: none"> 1. The applicant will revise the drawings and resubmit to the department with a copy of this page. 2. The items of non-compliance will not be brought into compliance and the applicant will request an appeal. 	

Plan Review Comments

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER
APPROVED BY
B-4.21 JW

TRANSFERRED
Date Aug 4 2021
Michael Smith
Licking County Auditor
SEC. 319.202 COMPLIED WITH
MICHAEL L. SMITH, AUDITOR
BY: JAE 1501320



202108040023453
Pgs: 6 \$66.00 T20210022750
8/4/2021 2:29 PM MEPSTEWART TI
Bryan A. Long Licking County Recorder

LIMITED WARRANTY DEED

384 1004066 Stewart T. He Boy Jr
MBJ HOLDINGS, LLC, a Delaware limited liability company ("Grantor"), for valuable consideration paid, grants, with limited warranty covenants, to SCANNELL PROPERTIES #538, LLC, an Indiana limited liability company ("Grantee"), whose tax mailing address is 8801 River Crossing Boulevard, Suite 300, Indianapolis, Indiana 46240, the real property more particularly described as follows:

Property: That certain 33.055± acre tract situated in the City of New Albany, Licking County, Ohio and being more particularly described on Exhibit A attached hereto and incorporated herein (the "Property").

Property Address: 0 Innovation Campus Way East, New Albany, Ohio 43054

Tax Parcel Numbers: Portion of parcel number 093-106422-00.000 (8.078 acres); portion of Parcel Number 095-112080-02.001 (0.001 acre); portion of parcel number 093-107490-00.000 (4.211 acres); 9.768 acres are out portion of parcel number 093-107478-00.000 (9.768 acres); and portion of parcel number 093-107400-09.000 (10.997 acres).

Prior Instrument Reference: Instrument Numbers 201508210017779, 201511170024864, 201511050024177, 201603300006016 and 202102190005316, Recorder's Office, Licking County, Ohio.

The Property conveyed hereby is made subject to: (i) easements, conditions, restrictions and reservations of record, (ii) real property taxes and assessments which are a lien but not yet due and payable, (iii) applicable zoning and building laws, and (iv) rights of the public in legal highways.

[Remainder of the page left intentionally blank; Signature page to follow]

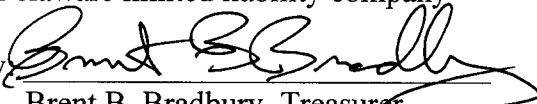


02150000500000050400

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed as of the 3rd day of August, 2021.

GRANTOR:


MBJ HOLDINGS, LLC,
a Delaware limited liability company

By 
Brent B. Bradbury, Treasurer

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

The foregoing instrument was acknowledged before me this 3rd day of August, 2021, by Brent B. Bradbury, Treasurer of MBJ HOLDINGS, LLC, a Delaware limited liability company, on behalf of the limited liability company. No oath or affirmation was administered to the signer with regard to the notarial act.

[SEAL]


NOTARY PUBLIC



MARY PATRICIA IAMS
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

My Commission Expires: no expiration

This instrument prepared by
and after recording return to:
MBJ Holdings, LLC
8000 Walton Parkway, Suite 120
New Albany, Ohio 43054

CITY OF NEW ALBANY
NO PLAT REQUIRED
APPROVED



Signature _____ Date 5-19-21
LA 2021 0048

Exhibit A
33.055 ACRES

Situated in the State of Ohio, County of Licking, Township of Jersey and City of New Albany, in Lots 1 and 16 of Quarter Township 2 and Sections 13 and 14 of Quarter Township 3, Township 2, Range 15, United States Military District, being comprised of a part of each of those tracts of land conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 201603300006016, 202102190005316, 201508210017779, 201511170024864, and 201511050024177, (all references are to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Mink Street (County Road 41) and Innovation Campus Way;

Thence North 70° 06' 39" West, with the centerline of said Innovation Campus Way, a distance of 678.40 feet to a magnetic nail set at a point of curvature to the right;

Thence with said centerline and with the arc of said curve, having a central angle of 41° 09' 11", a radius of 750.00 feet, an arc length of 538.69 feet, a chord bearing of North 49° 32' 04" West and chord distance of 527.19 feet to a point;

Thence South 61° 02' 32" West, crossing said Innovation Campus Way, a distance of 30.00 feet an iron pin set in the southerly right-of-way line of said Innovation Campus Way, the TRUE POINT OF BEGINNING for this description;

Thence with said southerly right of way line the following courses and distances:

South 23° 26' 11" West, a distance of 40.00 feet to an iron pin set;

South 27° 51' 07" East, a distance of 50.00 feet to an iron pin set; and

North 80° 51' 51" East, a distance of 5.68 feet to an iron pin set at the northwesterly corner of that 22.400 acre tract conveyed to PJP Holdings, LLC by deed of record in Instrument Number 202011050029864;

Thence with boundary of said 22.400 acre tract and with the centerline of a stream, the following courses and distances:

South 03° 00' 30" West, a distance of 34.16 feet to a point;

South 15° 45' 57" West, a distance of 11.68 feet to a point;

South 63° 12' 30" West, a distance of 12.52 feet to a point;

North 89° 49' 49" West, a distance of 31.12 feet to a point;

North 66° 40' 21" West, a distance of 43.49 feet to a point;

South 82° 24' 13" West, a distance of 51.96 feet to a point;

South 02° 21' 22" East, a distance of 50.40 feet to a point;

South 54° 27' 16" East, a distance of 49.36 feet to a point;

South 21° 27' 42" East, a distance of 38.21 feet to a point;

South 10° 22' 02" West, a distance of 28.39 feet to a point;

South 42° 11' 35" West, a distance of 32.47 feet to a point;

South 89° 16' 41" West, a distance of 42.34 feet to a point;

OFFICE OF NEW ALBANY
NO PLAT REQUIRED
APPROVED

 5-19-21
Signature Date

33.055 ACRES

LA 2021 0048

North 78° 18' 45" West, a distance of 51.38 feet to a point;

North 76° 04' 00" West, a distance of 29.51 feet to a point;

South 54° 25' 01" West, a distance of 30.23 feet to a point;

South 04° 21' 08" West, a distance of 53.78 feet to a point;

South 24° 18' 15" West, a distance of 51.36 feet to a point;

South 53° 03' 05" West, a distance of 32.66 feet to a point;

South 23° 34' 03" West, a distance of 71.10 feet to a point;

South 79° 30' 43" West, a distance of 57.16 feet to a point;

South 46° 17' 15" West, a distance of 90.06 feet to a point;

South 71° 24' 24" West, a distance of 85.81 feet to a point;

South 34° 57' 43" West, a distance of 69.20 feet to a point;

South 13° 32' 01" East, a distance of 32.62 feet to a point;

South 23° 48' 42" West, a distance of 16.24 feet to a point;

South 84° 36' 00" West, a distance of 25.44 feet to a point;

South 49° 38' 33" West, a distance of 29.98 feet to a point;

South 28° 28' 23" East, a distance of 22.59 feet to a point;

South 03° 59' 14" East, a distance of 11.72 feet to a point; and

South 59° 47' 50" West, a distance of 127.18 feet to a point (referenced by an iron pin set North 02° 58' 27" East, a distance of 50.00 feet);

Thence South 02° 58' 27" West, with the westerly line of said 22.400 tract, a distance of 94.91 feet to an iron pin set at the southwestern corner thereof;

Thence South 83° 36' 23" East, with the westerly line of said 22.400 acre tract, a distance of 31.69 feet to a ¾ inch iron pipe found at the northwesterly corner of that 6.255 acre tract conveyed to Mink Corner Holdings LLC by deed of record in Instrument Number 201406090010252;

Thence South 03° 26' 31" West, with the westerly line of said 6.255 acre tract, a distance of 94.32 feet to an iron pin set;

Thence crossing said 13.193 acre tract the following courses and distances:

South 60° 40' 35" West, a distance of 55.49 feet to an iron pin set;

South 86° 07' 05" West, a distance of 142.49 feet to an iron pin set; and

South 53° 56' 47" West, a distance of 197.34 feet to an iron pin set in the easterly line of that 15.894 acre tract conveyed to Mark L. Mayville, Geraldine Y. Mayville, Richard A. Needles and Theresa L. Love by deeds of record in Official Record 417, Page 537, Official Record 417, Page 535, Official Record 416, Page 209, and Deed Book 790, Page 643;

CITY OF NEW ALBANY
NO PLAT REQUIRED
APPROVED

Signature

5-19-21
Date

LA 2021 0048

33.055 ACRES

Thence North 03° 28' 41" East, with the easterly line of said 15.894 acre tract, a distance of 1669.80 feet to a ¾ inch iron pipe found at the northeasterly corner thereof;

Thence North 86° 37' 29" West, with the northerly line of said 15.894 acre tracts, a distance of 117.89 feet to an iron pin set;

Thence crossing said MBJ Holdings, LLC tracts the following courses and distances:

North 17° 03' 13" East, a distance of 132.33 feet to an iron pin set;

North 10° 36' 29" East, a distance of 57.15 feet to an iron pin set;

North 34° 27' 58" West, a distance of 30.70 feet to an iron pin set;

North 13° 35' 15" West, a distance of 32.58 feet to an iron pin set;

North 38° 32' 33" West, a distance of 34.27 feet to an iron pin set;

North 13° 36' 23" West, a distance of 27.61 feet to an iron pin set;

North 22° 42' 57" West, a distance of 28.51 feet to an iron pin set;

North 05° 09' 01" West, a distance of 28.39 feet to an iron pin set;

North 04° 18' 11" West, a distance of 12.64 feet to an iron pin set;

North 88° 37' 08" East, a distance of 39.97 feet to an iron pin set;

North 81° 12' 59" East, a distance of 54.50 feet to an iron pin set;

North 74° 33' 52" East, a distance of 31.24 feet to an iron pin set;

North 83° 39' 26" East, a distance of 95.52 feet to an iron pin set; and

North 06° 20' 34" West, a distance of 125.07 feet to an iron pin set in the southerly right-of-way line of said Innovation Campus Way;

Thence with said southerly right of way line the following courses and distances:

North 90° 00' 00" East, a distance of 40.82 feet to an iron pin set at a point of curvature to the right;

With the arc of said curve, having a central angle of 81° 15' 24", a radius of 720.00 feet, an arc length of 1021.10 feet, a chord bearing of South 49° 22' 18" East and chord distance of 937.66 feet to an iron pin set;

South 08° 44' 36" East, a distance of 180.02 feet to an iron pin set at a point of curvature to the left; and

With the arc of said curve, having a central angle of 20° 12' 53", a radius of 780.00 feet, an arc length of 275.19 feet, a chord bearing of South 18° 51' 02" East and chord distance of 273.77 feet to the TRUE POINT OF BEGINNING, containing 33.055 acres of land, more or less, of which 8.078 acres are out of Parcel Number 093-106422-00.000, 0.001 acre is out of Parcel Number 095-112080-02.001, 4.211 acres are out of Parcel Number 093-107490-00.000, 9.768 acres are out of Parcel Number 093-107478-00.000, and 10.997 acres are out of Parcel Number ~~095-107400-09.000.~~

093-

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

CITY OF NEW ALBANY
NO PLAT REQUIRED
APPROVED

 _____ 5-19-21
Signature Date

33.055 ACRES

LA 2021 0048

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portions of the centerline of Beech Road, having a bearing of North 03° 25' 04" East, is designated the "basis of bearing" for this plat.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



23 FEB 21

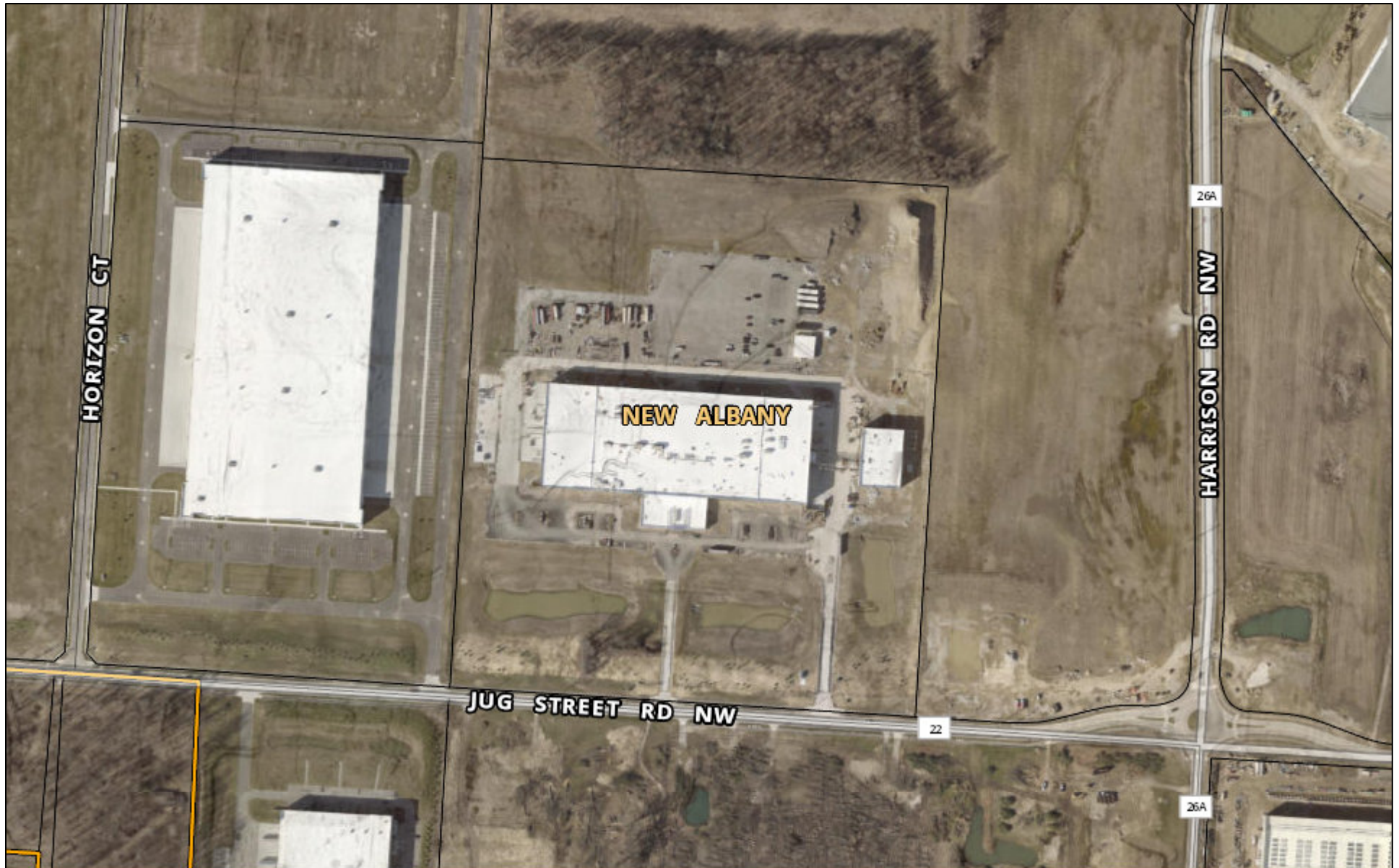
Matthew A. Kirk
Professional Surveyor No. 7865

Date

MAK:jo
33_055 ac 20201168-VS-BNDY-01.doc



OnTrac Property Map



September 11, 2024



Owner Name & Acres

Centerline Labels

Interstate/US/State Route

County Road

Township Road

Other Road Type

Driveway

Interstates

Municipal Corporations

376 Feet

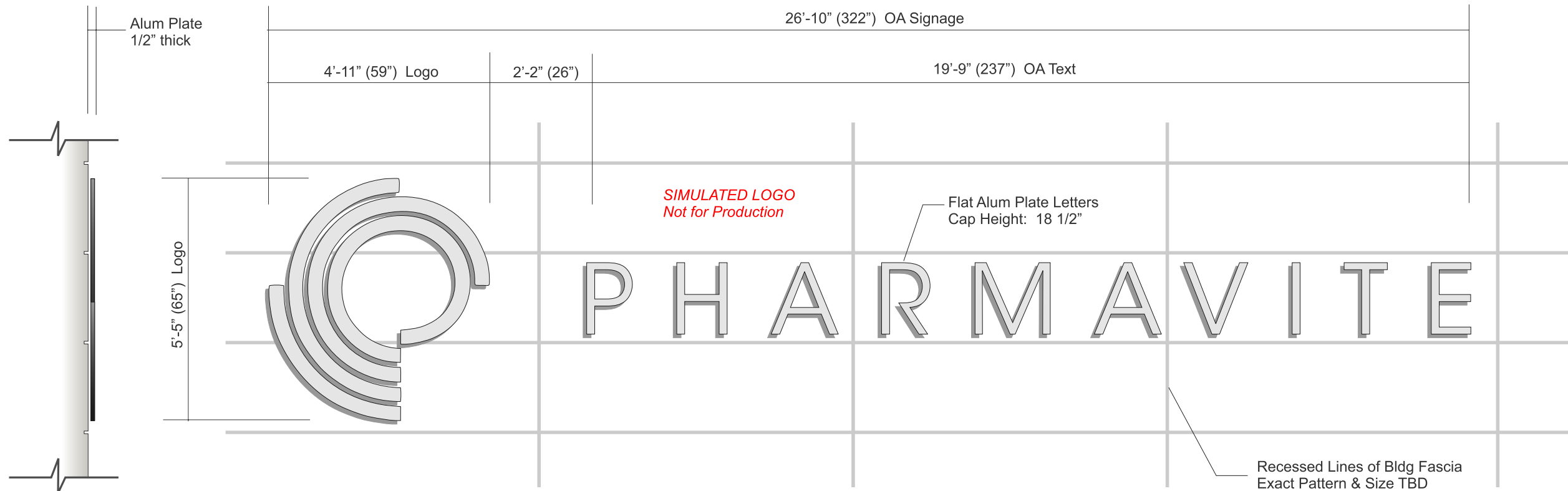
0.07 Miles

Jurisdictional Townships

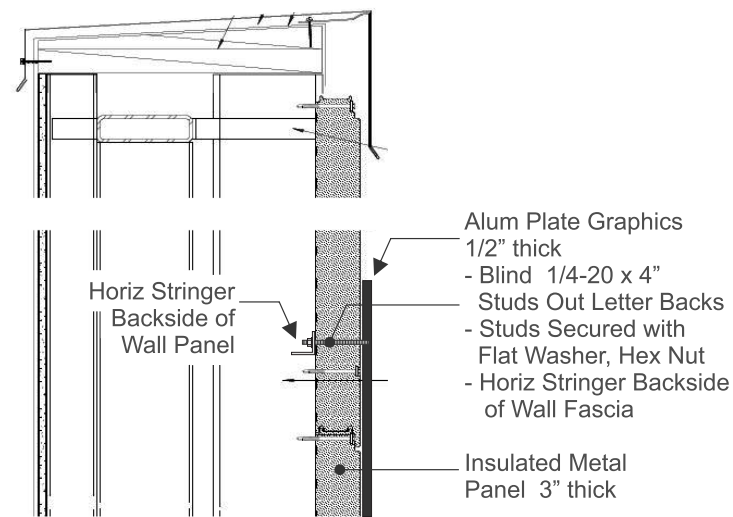
Historical Townships Line

County Boundary

LICKING COUNTY TAX MAP



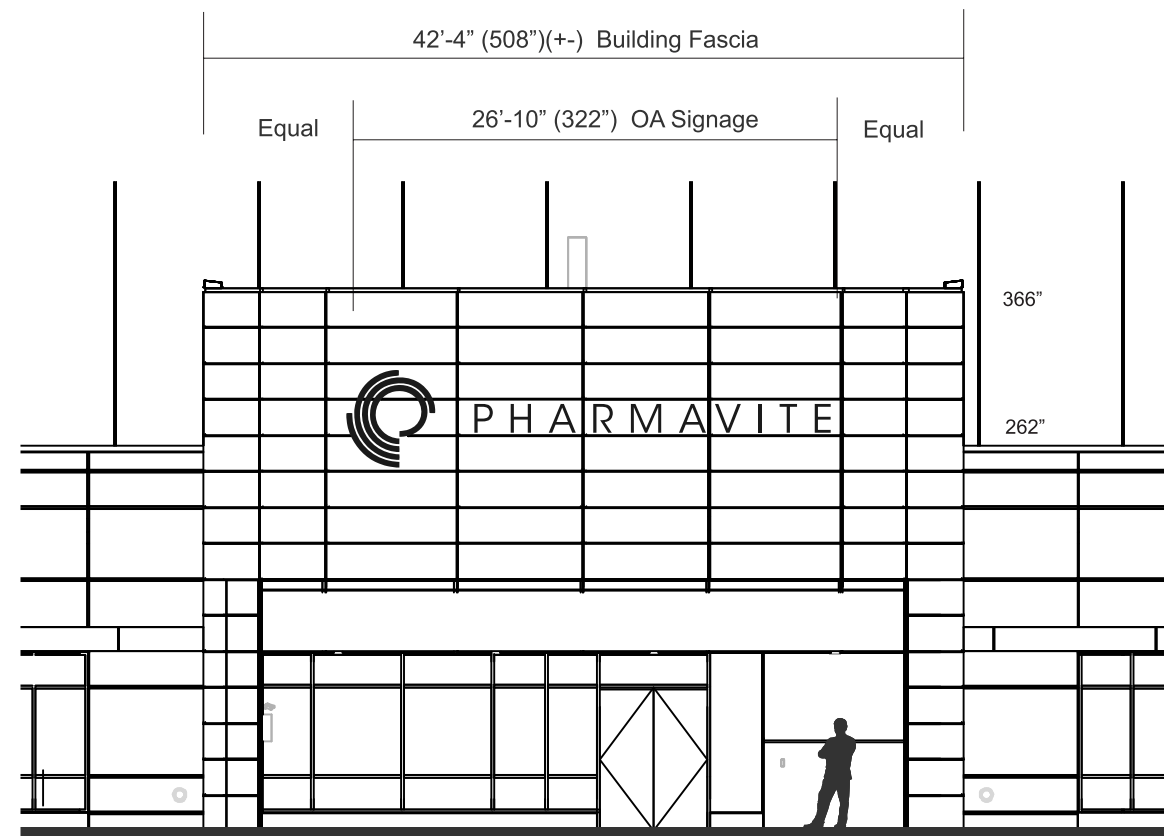
FLAT ALUMINUM PLATE LOGO/LETTERS
Scale: 3/8"



WALL SECTION / Scale: 1"

INDIVIDUAL FLAT CUT ALUM LOGO & TEXT

- * Qty=(1)
- * Flat Aluminum Plate Logo and Letters re: (logo) PHARMAVITE
- * Non-Illuminated
- * Aluminum Plate: 1/2" thick
- * Logo & Name Text:
 - Computer Cut, Aluminum
 - Logo per Clients Vector Line Art (Letter Font: Avenir LT 45 Book)
 - Logo & Text Color: Silver Metallic (verify)
- * Installation:
 - Wall Fascia: Insulated Metal Panel, 3" thick
 - Blind Threaded 1/4"-20 Studs (4" Lgth)
 - Minimum Four Studs per Letter/Element
 - Studs Secured with Flat Washer & Hex Nuts
 - Horiz Angle Stringer 1 1/2" x 1 1/2" x 1/8" L Backside of Wall Panel



BUILDING ELEVATION
Scale: 3/32"

**BUILDING GRAPHICS
FLAT ALUMINUM PLATE**



Sunrise / Pharmavite
13700 Jug St New Albany 43031

02/21/24 rev08/02/24 12:00

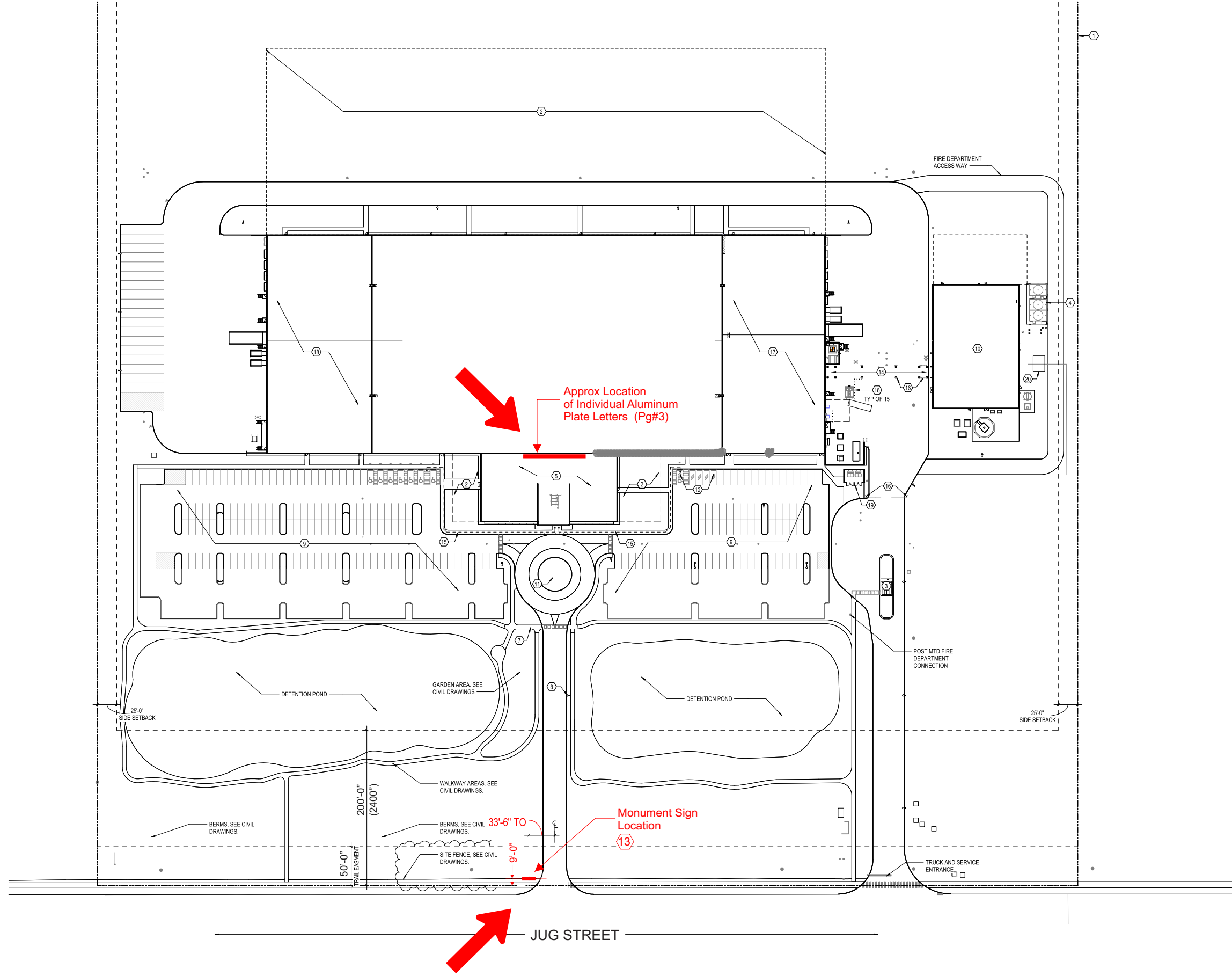
Project Layout
0 Approved
0 Approved as Noted

Approval Signature

U/L: Yes No
Install per NEC 600
- Grounding
- Bonding

Sales: RS
Design: LK
Dwg: 224-0142

3



SINGLE FACE MONUMENT SIGN



Sunrise / Pharmavite
 13700 Jug St New Albany 43031

Project Layout
 Approved
 Approved as Noted

U/L: Yes No
 Install per NEC 600
 - Grounding
 - Bonding

Sales: RS
 Design: LK
 Dwg: 224-0142

2

02/21/24 rev05/03/24 12:00

1515 E. Fifth Ave. Columbus, OH 43219 P: (614) 252-3133 F: (614) 252-2494 ColumbusSign.com

COLUMBUS SIGN COMPANY

Approval Signature