



New Albany Board of Zoning Appeals
November 25, 2024 Meeting Minutes - Approved
November 25, 2024

I. Call to order

The New Albany Board of Zoning Appeals held a regular meeting on Monday, November 25, 2024 in the New Albany Village Hall. Chair LaJeunesse called the meeting to order at 6:31 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

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

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

Staff members present: Planner Blackburn, Planning Manager Mayer, Deputy Clerk Madriguera.

III. Action on minutes October 28, 2024.

Chair LaJeunesse asked if there were any additions or corrections to the minutes from the October 28, 2024 meeting.

Hearing none, Board Member Jacob moved to approve the minutes from the October 28, 2024 meeting. Board Member Samuels seconded the motion.

Upon roll call: Mr. Jacob yes, Ms. Samuels yes, Mr. Schell yes, Mr. LaJeunesse yes. Having four yes votes, the motion passed and the October 28, 2024 meeting minutes were approved as submitted.

IV. Administration of oath.

Chair LaJeunesse asked if there was anyone present who wished to address the board. Hearing none, he noted there was no need to administer the oath. Thereafter he introduced the first and only case and asked to hear from staff.

VI. Cases

VAR-65-2024 Variance

Variance to codified ordinance 1169 relating to the size and quantity of signage for QTS located at 1235 and 1225 Beech Road SW (094-106404-00.011 and 094-106404-00.010).

Applicant: SNHA A Woolpert Company c/o Alex Zimmerman

Planner Blackburn delivered the staff report.

Chair LaJeunesse asked whether the size of the signs would be permissible under the proposed code update.

Planning Manager Mayer answered that most of the signs would be permissible, but the wall signs on the side exceed the size limit under the proposed code update.

Board Member Jacob referenced variance B and confirmed that all of the proposed signs are for QTS, the sole occupant of the structure. He asked why the applicant needed more than one sign.

Planning Manager Mayer responded that the applicant could best answer that question.

Chair LaJeunesse administered the oath to the applicant.

Applicant Alex Zimmerman of SNHA A Woolpert on behalf of QTS stated that as originally intended the building would have multiple tenants, but as it turned out QTS was the only tenant.

Board Member Samuels confirmed with staff that the current allowance was one sign per business per entrance.

Board Member Schell confirmed that neighbors were notified and asked staff whether any responses had been received.

Planner Blackburn responded that no responses had been received.

Chair LaJeunesse asked whether a sign of this size has ever been approved.

Planning Manager Mayer responded that the 297-square foot Amazon sign is the largest that has been approved. This proposed sign is 311-square feet.

Council Member Shull asked the applicant whether there have been instances of modification.

Ms. Zimmerman responded yes, there have been modifications and that she was willing to present suggested modifications to QTS.

Chair LaJeunesse advised Ms. Zimmerman that a code update to permit larger signs was underway, but the proposed wall signs exceeded the maximum under the new code (if passed). He stated that the board would feel more comfortable if the signs met the new requirements.

Ms. Zimmerman responded that she understood. She asked whether 1% of the size of the building was included in the code update.

Board Member Samuels responded that even if the 1% standard was included in the code update, the proposed wall sign was greater than 1%.

Board Member Jacob asked staff whether the board could table one of the variance requests and approve the other variances.

Planning Manager Mayer responded yes.

Board Member Schell asked whether the board could approve all of the variances subject to staff review.

Planning Manager Mayer answered yes, the board could approve all of the variances and impose a condition, satisfaction of which is subject to staff approval.

Council Member Shull asked staff how they arrived at the 200-square foot maximum, as opposed to 300-square feet.

Planning Manager Mayer explained that 200-square feet is on par with what staff is seeing today, and further that 200 seemed reasonable. He explained the legislative process for the code update. There would be 60 or more days until approval. The planning commission would consider it next. He remarked that he would not be surprised if it took two hearings before approval by the planning commission.

Chair LaJeunesse thanked Planning Manager Mayer for the update on the legislative process. He asked the applicant about the timeline for construction.

Ms. Zimmerman responded that construction is well underway and should be done by August.

Board Member Schell remarked that the board and the city is excited to have QTS in New Albany and that the board would feel more comfortable if the applicant would work with staff to get closer to 200-square feet.

Council Member Shull added that the board could still approve the entire application on the condition that they get close to 200, subject to staff approval.

Ms. Zimmerman responded that QTS will definitely work with staff.

Board Member Schell added that if the applicant and staff could not get to 200-square feet that the board wanted to consider the application again.

Chair LaJeunesse moved to accept the staff reports and related documents into the record for VAR-65-2024. Board Member Jacob seconded the motion.

Upon roll call: Mr. LaJeunesse yes, Mr. Jacob yes, Ms. Samuels 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-65-2024.

Council Member Shull confirmed with Planning Manager Mayer that the variances could be handled with a single motion.

Board Member Samuels moved for approval of VAR-65-2024 based on the findings in the staff report with the conditions in the staff report and the following additional condition:

- To reduce the blank space on the directional signs to decrease the size which should not exceed 200-square feet, subject to staff approval.

Chair LaJeunesse seconded the motion.

Upon roll call: Ms. Samuels yes, Mr. LaJeunesse yes, Mr. Jacob yes, Mr. Schell yes. Having four yes votes, the motion passed and VAR-65-2024 was approved subject to the condition stated above.

The commission thanked the applicant and wished her good luck.

Thereafter Board Member Jacob asked for clarification regarding when a case comes to the Board of Zoning Appeals as opposed to the Planning Commission.

Planning Manager Mayer responded that it boils down to the zoning of the property. Properties that are zoned under the planned use development criteria (PUD) are permitted to create an individual design which must be reviewed by the Planning Commission. This is a final development plan. A request for variance can be considered by the Planning Commission when it is presented with the final development

plan. Variances requested by themselves are considered by the Board of Zoning Appeals. He further explained that the Architectural Review Board considers village center variances.

Chair LaJeunesse asked for further comments from the board. Hearing none he asked for other business.

VII. Other business

Planning Manager Mayer reminded the board about 2025 packet survey. He explained that staff is encouraging boards and commissions to go paperless.

Board Member Jacob remarked that he found the paper most useful and would be happy to pay for continued use of paper.

Planning Manager Mayer thanked Board Member Jacob and stated it is perfectly fine, and that staff likes to hear that feedback.

VIII. Adjournment

Having no further business, Chair LaJeunesse moved to adjourn the November 25, 2024 meeting of the New Albany Board of Zoning Appeals. Board Member Samuels seconded the motion.

Upon roll call: Mr. LaJeunesse yes, Ms. Samuels yes, Mr. Jacob yes, Mr. Schell yes. Having four yes votes, the motion passed and the meeting was adjourned at 7:01 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

Appendix

VAR-65-2024

Staff Report

Record of Action



**Board of Zoning Appeals Staff Report
November 25, 2024 Meeting**

**QTS
SIGN VARIANCES**

LOCATION: 1235 Beech Road SW and 1225 Beech Road SW (PID: 094-106404-00.011 and 094-106404-00.010)

APPLICANT: SNHA A Woolpert Company c/o Alex Zimmerman

REQUEST: (A) Variance to C.O. 1168.18(b)(2) to allow the size of directional signs to be 27.5 square feet and 6'-1" tall where code permits a maximum of 5 square feet and 4 feet tall.
(B) Variance to C.O. 1169.16(d) to allow 4 signs per building where code permits one sign per building.
(C) Variance to C.O. 1169.16(d)(2) to allow 8 wall signs to exceed the permitted 75 square feet max.
(D) Variance to C.O. 1169.18(c)(2) to allow 2 address signs per building where code permits one address sign per building.

ZONING: Limited General Employment (L-GE): Beech Road South

STRATEGIC PLAN: Employment Center

APPLICATION: VAR-65-2024

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

Staff report prepared by Kylie Blackburn and Sierra Saumenig, Planners

I. REQUEST AND BACKGROUND

The applicant requests the following variances related to a new sign package for two QTS buildings located in the Licking County portion of the New Albany Business Park and accessed off Beech Road.

- (A) Variance to C.O. 1168.18(b)(2) to allow the size of directional signs to be 27.5 square feet and 6'-1" tall where code permits a maximum of 5 square feet and 4 feet tall.
- (B) Variance to C.O. 1169.16(d) to allow 4 signs per building where code permits one sign per building.
- (C) Variance to C.O. 1169.16(d)(2) to allow 8 wall signs to exceed the permitted 75 square foot max.
- (D) Variance to C.O. 1169.18(c)(2) to allow 2 address signs per building where code permits one address sign per building.

II. SITE DESCRIPTION & USE

The QTS buildings are located on the west side of Beech Road and south of Ganton Parkway. The two adjacent properties total 38.79 +/- acres. It is part of the New Albany Business Park within Licking County. There are several other commercial businesses located north, south, and west of the building.

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) A variance to C.O. 1168.18(b)(2) to allow the size of directional signs to be 27.5 square feet and 6'-1” tall where code permits a maximum of 5 square feet and 4 feet tall.

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

1. C.O. 1168.18(b)(2) states that directional signage should have a maximum square footage of 5 feet and a maximum height of 4 feet.

- a. The applicant proposes four directional signs that are permitted as the code allows one per lot access plus one per building. The four directional signs are all proposed to be 27.5 square feet and 6'-1" in height. Three of the directional signs are at the front of the property and one directional sign is located at the rear of the property.
2. The variance request may be substantial as the directional signs are proposed to be much larger than what code permits.
 - a. The applicant states the signs are intended for internal use and are not be visible from Beech Road and the design matches the existing signage throughout the business park including a black background and white lettering.
 - b. The two signs at the northeast and southeast corner appear that they would be visible from Beech Road as they are adjacent to drive aisles into the property.
 - c. The directional sign at the rear of the property is not visible from the public street but may be able to be seen from adjacent properties.
3. The applicant could reduce the square footage of the proposed signs by eliminating some of the blank space on the signs.
4. Staff is unaware of any previous variance requests for a directional sign size increase.
5. It appears that there are no special conditions and circumstances that justify the variance request. Other properties that are in the surrounding area also have had to meet the directional sign standards to ensure consistency which signals to visitors that they are within the New Albany Business Park. However, these directional signs are interior to the site.
6. Granting the variance does not appear to meet the spirit and intent of the zoning requirement because the applicant could achieve the required wayfinding signage without altering the intended content of the sign. The applicant could eliminate some blank space on the sign which would reduce its size.
7. If the directional signs cannot be seen from Beech Road, it does not appear that the essential character of the immediate area will be altered if the variance is granted. However, it appears three of the four signs could be seen from the right-of-way or adjacent neighbors.
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.

(B) A Variance to C.O. 1169.16(d) to allow 4 wall signs per building where code permits one sign per building frontage.

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 applicant proposes to install four wall signs per building that would exceed this requirement. The development includes two identical buildings that are proposed to have the same signs and locations on each of the buildings.
 - a. One sign on the east elevations of the two buildings is proposed to be 177 square feet. These signs feature the company logo.
 - b. Four Signs on the north and south elevations (two on each building) are proposed to be 311 square feet. These signs feature the company logo with "data centers."
 - c. One sign on the west elevations of the two buildings are proposed to be 152 square feet. This sign features the company logo.
2. The city sign code permits one wall sign per building frontage. Each building has one frontage along Beech Road. While the applicant proposes to allow more wall signs than permitted by right the buildings are approximately 1,241 feet long on their north and south façades, approximately 275 feet long on their east façades, and approximately 220 feet long on their west façades.
 - a. Due to the buildings' large façades having the signs placed over public and private entrances does not appear to be substantial given the size of the buildings.
 - b. They are appropriately and symmetrically positioned on the building. However, on the north and south facades of the building, there is repeated functionality with identical signs that are adjacent to one another above private entrances.
 - c. The building is for a single user, not a shared tenant space, therefore, no other company signs would be added to the eastern façade.

3. The spirit and intent of the zoning code are preserved because 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 building thereby making the size appropriate in this case. However, on the north and south facades of the building, there is repeated functionality with identical signs that are not above public entrances to the buildings.
4. It does not appear that the essential character of the immediate area will be altered if the
5. variance is granted. The variance request does not appear to be substantial because there are an appropriate number of signs for the large façades.
 - a. Given the scale of the buildings and the multiple entrances, the increased number of signs appears to be necessary for effective wayfinding and ensuring that visitors can easily navigate the space.
6. Granting the variance will not adversely affect the health, safety, or general welfare of persons living in the immediate vicinity.
7. Granting the variance will not adversely affect the delivery of government services.

(C) A variance to C.O. 1169.16(d)(2) to allow 8 wall signs to exceed the permitted 75 square foot max.

1. C.O. 1169.16(d) states that wall signs may be a maximum of 75 sq. ft. in size. The applicant proposes to install eight wall signs that exceed this size requirement. The development includes two identical buildings that are proposed to have the same signs and locations on each of the buildings.
 - a. One sign on the east elevations of the two buildings is proposed to be 177 square feet. These signs feature the company logo (see below).



- b. Four Signs on the north and south elevations (two on each building) are proposed to be 311 square feet. These signs feature the company logo with “data centers” (see below).



- c. One sign on the west elevations of the two buildings are proposed to be 152 square feet. This sign features the company logo.



2. The variance request does not appear to be substantial due to the large size of the buildings which are approximately 442,500 in gross floor area (222,000 square foot first floor area).
- East façade: The buildings are approximately 275 feet long on their east façades. Due to the 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. Additionally, the sign is proposed to be located above a public entrance to the building.
 - North façade and south façade: The buildings are approximately 1,241 feet long on their north and south façades. Due to the 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.
 - West façade: The buildings are approximately 220 feet long on their west façades. Due to the large size, the proposed wall signs on both buildings 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. Additionally, this is the back of the building and would not be visible from Beech Road.
3. The spirit and intent of the zoning code are preserved because 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 building thereby making the size appropriate in this case. However, on the north and south facades of the building, there is repeated functionality with identical signs that are not above public entrances to the buildings.
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 New Albany Business Park and the building’s large setbacks from the public roads reduce the visual impact of the wall signs
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:
- 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.
 - 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 signs are appropriately sized for the large façades.

- a. The square footages of the east façades are approximately 15,400 square feet making the total of the wall sign just 1.15% of the building façade.
 - b. The square footage of the north and south building façades is approximately 69,496 square feet making the total of the wall signs just 0.90% of the building façade.
 - c. The square footages of the west facades are approximately 12,320 square feet making the total of the wall signs just 1.2% of the building façade.
 - d. Due to this large size, the proposed wall signs appear to be appropriately scaled concerning 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.

(D) A variance to C.O. 1169.18(c)(2) to allow 2 address signs per building where code permits one address sign per building.

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

1. C.O. 1169.16(c)(2) states that one address sign, up to 15 sq. ft. in size, is permitted to be installed per building. While the four address signs are below 15 sq. ft., the applicant proposes to install two address signs per building that would exceed what code permits. The development includes two identical buildings that are proposed to have the same signs and locations on each of the buildings.
 - a. East façade: The buildings are approximately 275 feet long on their east façades.
 - b. North façade and south façade: The buildings are approximately 1,241 feet long on their north and south façades.
2. The city sign code permits one address sign per building frontage. The buildings are approximately 1,241 feet long on their north and south façades, and approximately 275 feet long on their east façades. Due to the buildings' large façades, the signs do not appear to be substantial given the size of the buildings. They are appropriately and symmetrically positioned on the building. Since the applicant has two identical buildings next to each other this variance helps to distinguish which building is which.
3. The spirit and intent of the zoning code are preserved because 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. The proposed signs meet this intent as they are well-designed. .
4. It appears that some special conditions and circumstances justify the variance request. There are two identical buildings. The proposed signs provide additional wayfinding for the two buildings and help to differentiate the two.
5. It does not appear that the essential character of the immediate area will be altered if the variance is granted. This variance request does not eliminate the architectural, screening, and landscaping requirements for this property.
6. The variance request does not appear to be substantial because the signs are an appropriate size for the large façades.
 - a. The address signs meet code size restrictions
 - b. The presence of two identical buildings makes it essential to include additional address signage to clearly differentiate between the two structures
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.

IV. SUMMARY

While the applicant is meeting the directional signage quantity, the proposed size of the signs is larger than code permits. Additionally, three of the four signs may be visible from either right-of-way or adjacent properties. The applicant could eliminate some blank space on the directional signs to decrease the size.

Even though the wall 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 proposed signs are below or just over 1% of the applicable building facades which minimize the visual impact. Therefore, the request does not appear to be substantial. The wall signs do not create an appearance of competition between adjacent signs because of the size of the building. The applicant proposes four wall signs with two of them being identical on the north and south façades of the buildings. The city sign states multiple signs should avoid repeated functionality.

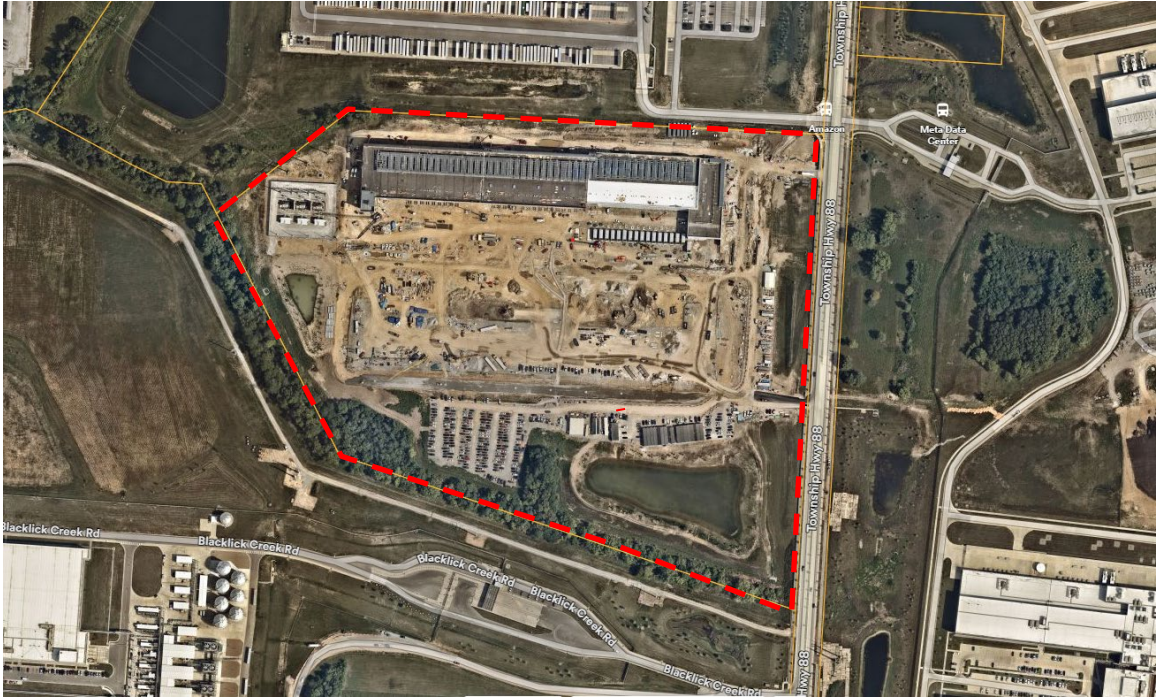
Lastly, the address signs meet the code's permitted size and help differentiate between the two identical QTS buildings. Allowing two address signs per building is not substantial and helps with wayfinding. They are appropriately and symmetrically positioned on the building.

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-65-2024.

Approximate Site Location:



Source: NearMap



Community Development Department

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

Dear Alex Zimmerman,

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

Monday, December 02, 2024

The New Albany took the following action on .

Variance

Location: 1235 Beech Rd SW, New Albany , OH 43054
Applicant: Alex Zimerman

Application: PLVARI20240065
Request: Variance
Motion: To Approve

Commission Vote: Motion Approval with Conditions, 4-0

Result: Variance, PLVARI20240065 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this December 2, 2024

Condition(s) of Approval:

1. To reduce the blank space on the directional signs to decrease the size.
2. Wall signs should not exceed 200-square feet, subject to staff approval.

Staff Certification:

Kylie Blackburn
Planner