



CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

STAFF REPORT

May 14, 2024

Variance Application VA-24-003

Applicant:	Charles W. Robbins
Owner:	DK Broad St Holdings, LLC.
Location:	12477 Broad St SW, Pataskala, OH 43062 (PID: 063-141324-00.001)
Acreage:	+/- 3.2 acres total
Zoning:	GB – General Business
Request:	Requesting approval of four (4) Variances from the Pataskala Code in order to allow for an Electronic Message Center sign that will exceed the maximum allowable sign area, sign height, changeable copy sign area, and for a changeable copy sign to not be fully framed.

Description of the Request:

Requesting approval of four (4) Variances from Sections 1295.09(b)(2)(C), 1295.09(b)(4)(C), 1295.10(b)(7)(A)(1), and 1295.10(b)(7)(A)(3) of the Pataskala Code to allow for an Electronic Message Center sign that will: Exceed the maximum allowable sign area, exceed the maximum allowable sign height, not have their EMC completely framed in by the ground sign, and for an EMC sign to exceed the maximum sign area permitted.

Staff Summary:

The 3.20-acre property located at 12577 Broad Street SW is currently occupied by TechR2, a data security company. Structures on-site include a 17,845-square foot commercial building built in 1990, with approximately 75,000-square feet of paved asphalt surface parking. Access to the property is by a single two-way driveway onto Broad Street. The owner also owns the adjacent 6.57-acre parcel to the west and south of the subject parcel, which includes a secondary entrance from Broad Street, just next to the one on the 3.2-acre parcel. Previously, the structure was occupied by a Motorcycle Dealership.

As proposed, the Applicant would like to install a two-sided LED Electronic Message Center (EMC) sign in the space previously occupied by the motorcycle dealership’s signage. The proposed signage is 128.25-inches (10.6875-feet) in height, 59.52-square feet in size, and mounted between two brick posts on a brick foundation. Per the Applicant’s submitted drawings, the proposed EMC signage will not change more than once in a three (3) minute period, will not employ flash, roll, scroll, or other animation techniques during display, will have a dark background with a single color at any one time, and will be fitted with automatic dimming capabilities.

Per Pataskala Code, Section 1295.09(b)(2)(C), the maximum size for a ground sign on any business lot is 32-square feet. Section 1295.09(b)(4)(C) limits the overall height of any ground sign to 10-feet. For changeable copy signs, including EMC type signs, Section 1295.10(b)(7)(A)(1) states “Changeable copy signs may be installed only on wall or monument style signs and must be completely framed by the wall or monument structure and colors must coordinate with the overall sign design”. Furthermore, Section

1295.10(b)(7)(A)(3) limits the size of EMC signs to 30% of the sign face, or 24-square feet, whichever is less.

Per the Applicant's submitted Narrative Statement, they believe that there are unique physical characteristics to their property that would warrant a variance. As stated, the Applicant does not believe that they have proposed an overly large sign as they own 11-acres, and that the proposed sign is relatively the same size as the previous motorcycle dealership's sign. The Applicant also believes that Variance(s), if granted, would not be detrimental to the public welfare because they are a data security company that works with state and local governments, and that it would not adversely affect the delivery of government services as data breaches are one of the top threats to the United States, and any method to educate and improve data security is a top goal for TechR2.

Staff Review: *The following review does not constitute recommendations but merely conclusions and suggestions from staff.*

As mentioned above, there are several aspects of the proposed sign that will not meet Pataskala Code, and in total there are four (4) required Variances that would be needed to allow the Applicant to construct the sign as proposed. The specific Variance requests are below:

1. Variance from Section 1295.09(b)(2)(C) to allow for a freestanding ground sign to exceed the maximum allowable sign area of 32-square feet.
 - a. Proposed at 59.52-square feet. Exceeds maximum by 27.52-square feet, or an 86% increase.
2. Variance from Section 1295.09(b)(4)(C) to allow for a freestanding ground sign to exceed the maximum height allowable of 10-feet.
 - a. Proposed at 10.6875-feet. Exceeds maximum by 0.6875-feet (8 ¼"), or a 6.875% increase.
3. Variance from Section 1295.10(b)(7)(A)(1) to allow for a changeable copy sign to not be completely framed by the monument structure.
 - a. Proposed sign renderings shown LED sign panel is only framed on the left and right sides of the sign.
4. Variance from Section 1295.10(b)(7)(A)(3) to allow for a changeable copy sign to exceed the limit of 30% of the sign face, or 24-square feet, whichever is less.
 - a. The proposed sign area is 59.52-square feet, 30% of which would be 17.856-square feet, which is less than 24-square feet. Therefore, per Section 1295.10(b)(7)(A)(3) the maximum allowable area for a changeable copy sign would be 17.856-square feet.
 - I. The proposed changeable copy sign is 59.52-square feet, exceeds maximum allowable by 41.664-square feet, or a 233.44% increase.

In the Narrative Statement submitted by the Applicant, they had stated that there was previously a "Harley Davidson" sign of similar size. Staff do not have the original permit on file and cannot confirm the size of the previous signage at this location. As the previous sign has been discontinued for a period of 30 days, any previous existing non-conformity is invalidated, and any new signage must comply with the current Pataskala Code (Section 1295.11(a)(2)).

Further stated by the Applicant, they believe the proposed sign fits well with the 11-acres of property they own (3.2-acres on which the business is located, and the adjacent 6.57-acre parcel that is vacant). Section 1295.09(b)(2)(D)(5)(a) allows for additional ground signs for large lots. For each full increment of 250-feet of lot frontage, an additional ground sign may be permitted, so long as each sign is separated

by a minimum of 250-feet. However, each sign is still limited to a maximum of 32-square feet, and as the lots the Applicant currently owns are separate parcels, this Section would not apply.

Section 1295.10(b)(7)(B)(6) requires that electronic message center (EMC) signs shall be limited to dark backgrounds with a single color employed at any one time for any message/image. The Applicant’s site plan states that they will comply with the above requirement, however, the sign rendering proposed shows a full-color LED with multiple colors displayed. Staff would like to ensure that the Applicant understands the above requirement.

Other Departments or Agencies

No other comments from applicable Departments or Agencies were received.

Surrounding Area:

Direction	Zoning	Land Use
North	M-1 – Light Manufacturing	AEP Storage and Training Facility
East	GB – General Business	Gun Range
South	GB – General Business PM – Planned Manufacturing	Vacant (Under same ownership) Agricultural
West	GB – General Business PM – Planned Manufacturing	Vacant (Under same ownership) Agricultural

Variance Requirements:

According to Section 1211.07(1) of the Pataskala Code, the Board of Zoning appeals shall consider the following factors when determining if an area variance is warranted:

- a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- b) *Whether there are unique physical circumstances or conditions that prohibit the property being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
- c) *Whether the variance requested is substantial;*
- d) *Whether the essential character of the neighborhood would be substantially altered or the adjoining properties would suffer a substantial detriment as a result of the variance;*
- e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
- f) *Whether the variance, if granted, will be detrimental to the public welfare;*
- g) *Whether the variance, if granted, would adversely affect the delivery of government services;*
- h) *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
- i) *Whether the property owner’s predicament can be obviated through some other method than variance;*
- j) *Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
- k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Furthermore, Section 1211.07(2) allows other factors to be considered, including comments from City staff, when determining if an area variance is warranted. The following factors from Section 1211.07(2) are applicable to Variance Application VA-24-003:

- 1211.07(2)(g): To increase the maximum allowable height or area of signs on a lot (it is suggested that the same should not be increased more than 25%).

Department and Agency Review

- Zoning Inspector – No comments.
- Public Service – No comments.
- City Engineer – No comments.
- SWLCWSD – No comments.
- Police Department – No comments.
- West Licking Joint Fire District – No comments.
- Licking Heights School District – No comments.

Conditions:

Should the Board choose to approve the applicant’s request, the following conditions may be considered:

1. Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Code Department within one (1) year of the date of approval.

Resolution:

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

“I move to approve the four Variances from the Pataskala Code for variance application VA-24-003 (“with the following conditions” if conditions are to be placed on the approval).”



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information	
Address: 12477 Broad St. Sw, Pataskala, OH 43062	
Parcel Number: 063 - 141323 - 00.001	
Zoning: Commercial GB	Acres: 3.2
Water Supply:	
<input type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: VA-24-003
Fee: 300
Filing Date: 4-11-24
Hearing Date: 5-14-24
Receipt Number: 001539

Applicant Information		
Name: Charles W. Robbins		
Address: 12477 Broad St. Sw		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-322-2222 / 614-432-6719	Email: crobbs@techr2.com	

Documents
<input checked="" type="checkbox"/> Application
<input checked="" type="checkbox"/> Fee
<input checked="" type="checkbox"/> Narrative
<input checked="" type="checkbox"/> Site Plan
<input checked="" type="checkbox"/> Deed
<input checked="" type="checkbox"/> Area Map

Property Owner Information		
Name: Sepp Rajcic - DK Broad St Holdings LLC		
Address: 12477 Broad St. Sw.		
City: Pataskala	State: OH	Zip: 43062
Phone: 614-322-2222	Email: srajcic@techr2.com	

Variance Information
Request (Include Section of Code):
TechR2 requests variance to 1295.09 (b)(2)(c) for a 59.52 sqft sign.
TechR2 requests variance to 1295.10 (b)(7)(A)(3) to the 30% limitation.
Describe the Project:
Construct a 59.52 square foot monument style electronic sign at the previous sign location used by Harley Davidson.

Documents to Submit

Variance Application: Submit 1 copy of the variance application.

Narrative Statement: Submit 1 copy of a narrative statement explaining the following:

- The reason the variance is necessary
- The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code:
 - a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;*
 - b) *Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
 - c) *Whether the variance requested is substantial;*
 - d) *Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance;*
 - e) *Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
 - f) *Whether the variance, if granted, will be detrimental to the public welfare;*
 - g) *Whether the variance, if granted, would adversely affect the delivery of governmental services;*
 - h) *Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
 - i) *Whether the property owner's predicament can be obviated through some other method than variance;*
 - j) *Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
 - k) *Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*
- A use variance must also meet the requirements described in Section 1211.07(B) of the Pataskala Code.

Site Plan: Submit 1 copy (unless otherwise directed by staff) of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- Location and dimensions of all existing and proposed buildings and structures.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Any other information deemed necessary for the variance request

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lcounty.com/recorder/recording-search/>

Area Map: Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: <https://www.lickingcountyohio.us/>

Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this variance request.

Applicant (Required):



Date:

4/10/2024

Property Owner (Required):



Date:

4/10/2024

To: Jack R. Kunztman, City Planner, City of Pataskala

From: Charles Robbins, Chief Compliance Officer, TechR2

Date: April 9, 2024

Subject: Pataskala Variance Application for the TechR2 Sign

1. The reason the variance is necessary.
2. Why is the variance justified as it pertained to Section 1211.07 of the Pataskala code?
 - a. Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without variance.

TechR2 has OEM contracts with IBM, Kyndryl and Dell and services many Fortune 500 and Ohio companies. It is one of Licking County's high-tech companies. The purpose of the sign is to expose our presence on Broad Street, to advertise and educate.

TechR2 is a data security (cybersecurity) company and works diligently with State and Local government and industry to protect data through its services. TechR2 feels that the digital sign will be beneficial to the Pataskala community in their cybersecurity education. A smaller static sign will not accomplish this mission.

- b. Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property.

The properties in our part of Licking County and Pataskala need to have a larger sign since it matches the larger property (11 acres) and our facility as we grow. The smaller signs make sense for small buildings inside Pataskala. We did not submit an overly large sign for our larger property.

- c. Whether the variance requested is substantial.

The average commercial lot size in Licking County and Pataskala is substantially smaller than the TechR2 property. The smaller signs make sense for small buildings inside Pataskala. We did not submit an overly large sign for our larger property.

- d. Whether the essential character of the neighborhood would be substantially altered, or adjoining properties would suffer a substantial detriment as a result of the variance.

Our TechR2 neighborhood is commercial businesses. On purpose, we did not look to put a 120 square foot sign in our proposal, so we submitted for a 60 square foot sign that

will look high tech. The foundation and brick sign are good for a city sign, but we feel the metal façade would meet the architecture of the building.

- e. Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property.

Our sign is relatively the same size and surface as the previous Harley Davidson sign. The sign does not detract from other businesses because of the property size. The AEP storage yards are across the street and a new datacenter (to be built) is to our west. The gun range is to our east.

- f. Whether the variance, if granted, will be detrimental to the public welfare.

No. Just the opposite. TechR2 is a data security (cybersecurity) company and works diligently with State and Local government and industry to protect data through its services. TechR2 feels that the digital sign will be beneficial to the Pataskala community in their cybersecurity education. A smaller static sign will not accomplish this mission.

TechR2 is one of the most cybersecurity compliant companies in the United States and in the world. Licking County and Pataskala residents drive by the facility daily and do not know it.

- g. Whether the variance, if granted, would adversely affect the delivery of governmental services.

Data breaches are one of the top threats to the United States, our allies, to our critical infrastructure and our economy. Any method that we use to educate and improve our data security defenses is a top goal with TechR2.

- h. Whether the property owner purchased the subject property with knowledge of the zoning restriction.

Sepp Rajaie, the President and CEO of TechR2 and Lisa Rajaie, the owner of TechR2 both support the modest larger sign for our property. They own the 11 acres.

- i. Whether the property owner's predicament can be obviated through some other method than variance.

TechR2 has had informal and formal conversations with the City of Pataskala, and we feel the sign size and technology is tasteful and appropriate.

- j. Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,

TechR2 looks forward to hearing the opinions of others in our community. We feel that this process also informs local residents more about TechR2.

- k. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

TechR2 is working with the State of Ohio through the Cyber Collaboration Committee, the City of Pataskala Parks Department and with Licking County Schools to help in any way to protect citizen and propriety data.

A use variance must also meet the requirements described in Section 1211.07(B) of the Pataskala Code.

3. Answers to the sign permit rejection

- Section 1295.09(b)(2)(C): Freestanding ground signs or cantilever signs shall be no greater than 32 square feet.
 - The proposed sign is 59.52-square feet, exceeds maximum permitted by 27.52-square feet.

TechR2 is applying for a variance to put a larger sign on our property.

- Section 1295.10(b)(7)(A)(1): Changeable copy signs may be installed only on wall or monument style signs and must be completely framed by the wall or monument structure and colors must coordinate with the overall sign design.

TechR2 updated our sign design to add a foundation and brick monument style sign to frame the digital sign.

- Section 1295.10(b)(7)(A)(3): The changeable copy sign face is limited to 30% of the sign face, or 24 square feet, whichever is less.
 - The maximum permitted ground sign size is 32-square feet, of which, 30% is 9.6-square feet. By default, the maximum size allowable for a LED sign is 9.6-square feet since it is the lesser.
 - Sign exceeds maximum allowable by 49.92-square feet.

Yes. We are asking for a variance for our proposed sign.

- 1295.10(b)(7)(B)(4): EMC (Electronic Message Center) copy may not change more than once in a three (3) minute period, except for time and temperature only displays (which are limited to 1 change in a 20 second period) and gasoline price displays.
 - No details provided in application.

The Electronic Message Center (EMC) will not change more than once in a 3-minute period. The note is added to the TechR2 Sign drawing.

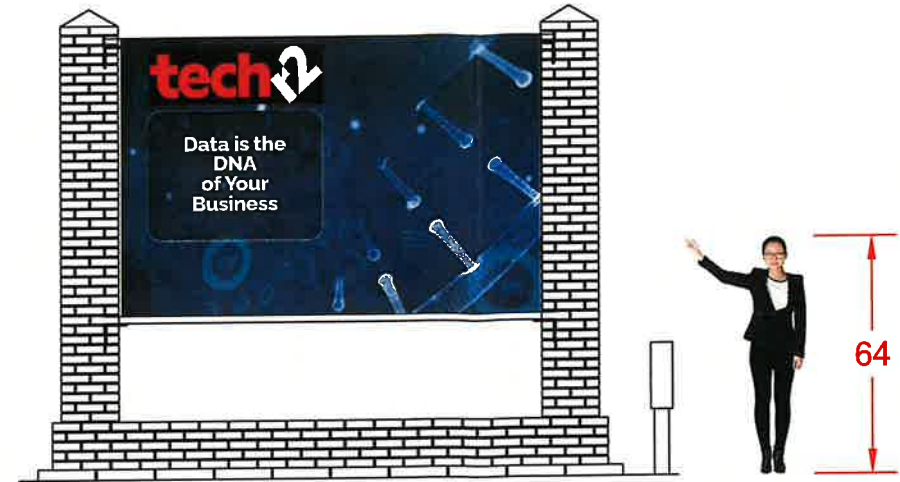
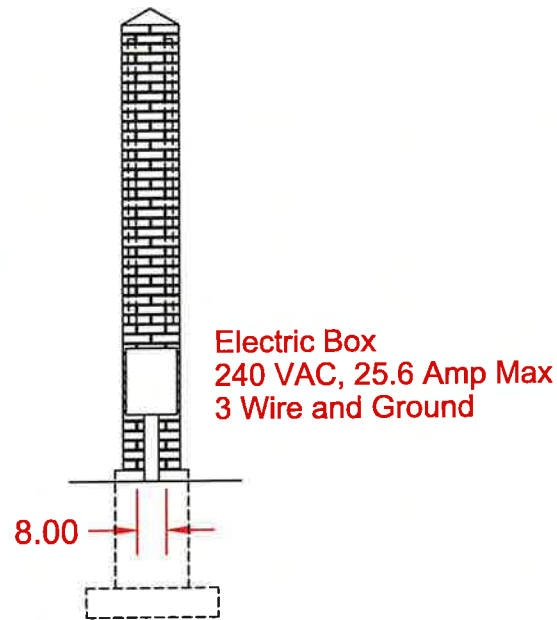
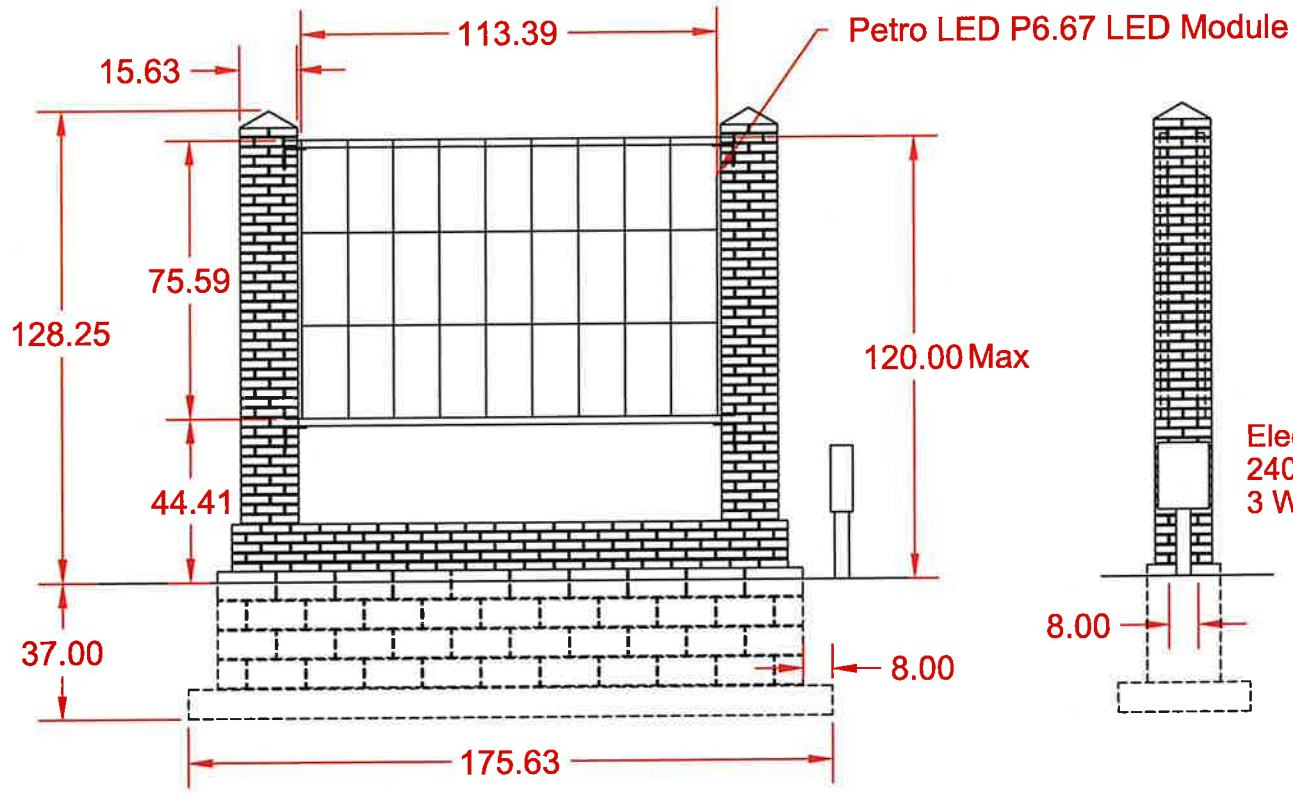
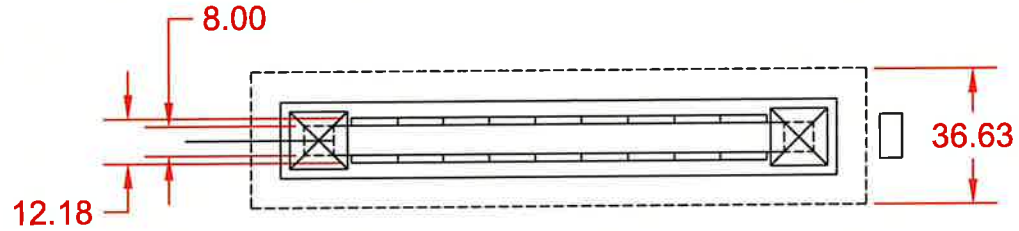
- 1295.10(b)(7)(B)(5): EMCs displays are to be static and are not permitted to flash, roll, scroll, employ other motion or animation techniques during display or changing of copy (in the three (3) minutes permitted time).
 - No details provided in application.
The Electronic Message Center (EMC) will not flash, roll, scroll, employ other motion or animation techniques during display or changing of copy. The note is added to the TechR2 Sign drawing.

- 1295.10(b)(7)(B)(6): All EMCs are limited to dark backgrounds with a single color employed at any one time for any message or image. The color text should coordinate with the overall color scheme of the entire sign structure.
 - By default, full color LED is not permitted by the above section.
The Electronic Message Center (EMC) will have a dark background with a single color at any one time for the message or image. The note is added to the TechR2 Sign drawing.

- 1295.10(b)(7)(B)(7): All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night.
 - No details provided in application.
The Electronic Message Center (EMC) will have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night. The note is added to the TechR2 Sign drawing.

Notes:

1. Install new back to back Petro P6.67 modular sign module in the the matrix shown. Sign is two sided.
2. Mount new LED message center to 8 inch square steel tube supports.
3. 2 inch framing to hold the weatherproof modules.
4. Framing to be painted black.
5. Listed LED modules complies to UL 48.
6. Sign structure has been designed to withstand 115 mph ultimate windspeed.



Sample Rendering with 5'-4" person

Images Notes:

- A. The Electronic Message Center (EMC) will not change more than once in a 3-minute period.
- B. The Electronic Message Center (EMC) will not flash, roll, scroll, employ other motion or animation techniques during display or changing of copy.
- C. The Electronic Message Center (EMC) will have a dark background with a single color at any one time for the message or image.
- D. The Electronic Message Center (EMC) will have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night.

Rev	Date	By	Description
C	3-26-2024	CWR	Updated for the brick and foundation add
A	11-19-2023	CWR	Initial Release

TechR2 12477 Broad St SW, Pataskala, OH 43062 www.techr2.com	Drawing Name: Sign Plan, 59.5 Square Feet	
	Project: TechR2 HQ	
Drawn By: C. Robbins	Date Drawn: 11/19/2023	
Checked By:	Date Checked:	
Approved By:	Date Approved:	
Scale: 1=1	Drawing No.: 138-10039-1	Rev.: C

JAMES P. SCHAFER
O.R. 759, PG. 373
PARCEL FIVE
10 ACRES

TITLE NOTES:

THIS SURVEY WAS PREPARED WITH THE BENEFIT OF FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT FILE No. 224781-77A, DATED DECEMBER 13, 2016. SCHEDULE B - SECTION 1 NOTES ARE AS FOLLOWS:

1. Easement granted to The Ohio Fuel Gas Company, recorded in Deed Book 304, Page 232. LOCATION UNDETERMINED. POOR LEGAL DESCRIPTION
2. Easement granted to Columbus and Southern Ohio Electric Company, recorded in Deed Book 334, Page 329. DOES NOT APPLY
3. Easement granted to The Ohio Power Company, recorded in Deed Book 436, Page 64. APPLIES AND SHOWN
4. Easement granted to State of Ohio, recorded in Deed Book 463, Page 537. APPLIES AND SHOWN
5. Easement granted to Columbus and Southern Ohio Electric Company, recorded in Deed Book 466, Page 496. APPLIES AND SHOWN
6. Easement granted to Columbia Gas of Ohio, Inc., recorded in Official Record 316, Page 555. APPLIES AND SHOWN
7. Easement granted to Columbia Gas of Ohio, Inc., recorded in Official Record 316, Page 558. APPLIES AND SHOWN
8. Easement granted to Columbus Southern Power Company, recorded in Official Record 320, Page 60. APPLIES AND SHOWN
9. Regulating, Metering and Valving Station Site Agreement granted to National Gas & Oil Cooperative, recorded in Instrument No. 199812010046004. APPLIES AND SHOWN
10. Easement granted to National Gas & Oil Cooperative, recorded in Instrument No. 199812010046005, as amended in Instrument No. 200001030000012. APPLIES AND SHOWN

LEGEND:

- ⊙ IRON PIPE FND. (AS NOTED)
- ⊠ ELECTRIC METER
- ⊞ ELECTRIC BOX
- ⊟ CATCH BASIN
- ⊠ SANITARY MANHOLE
- ⊠ SANITARY CLEANOUT
- ⊠ UTILITY BOX
- ⊠ UTILITY POLE
- ⊠ FIRE HYDRANT
- ⊠ LIGHT POLE
- ⊠ SIGN
- ⊠ POST
- ⊠ GAS METER
- ⊠ GAS LINE MARKER
- ⊠ GAS VALVE
- ⊠ TELEPHONE BOX
- ⊠ YARD LIGHT
- SCHEDULE B - SECTION 2 NOTE:
(MATCHES COMMITMENT NUMBERING)

CENTENNIAL, LLC
INST. No. 200404270014541
TRACT TWO
6.555 ACRE (DEED)
6.570 ACRE (SURVEY)
AUD. PAR. 63-141324.00.000
12531 EAST BROAD STREET

CENTENNIAL, LLC
INST. No. 200404270014541
TRACT ONE
3.200 ACRE (DEED & SURVEY)
AUD. PAR. 63-141324.00.001
12477 EAST BROAD STREET

HOSSIENDA LLC
INST. No. 201212310030097
4.846 ACRES
12425 EAST BROAD STREET

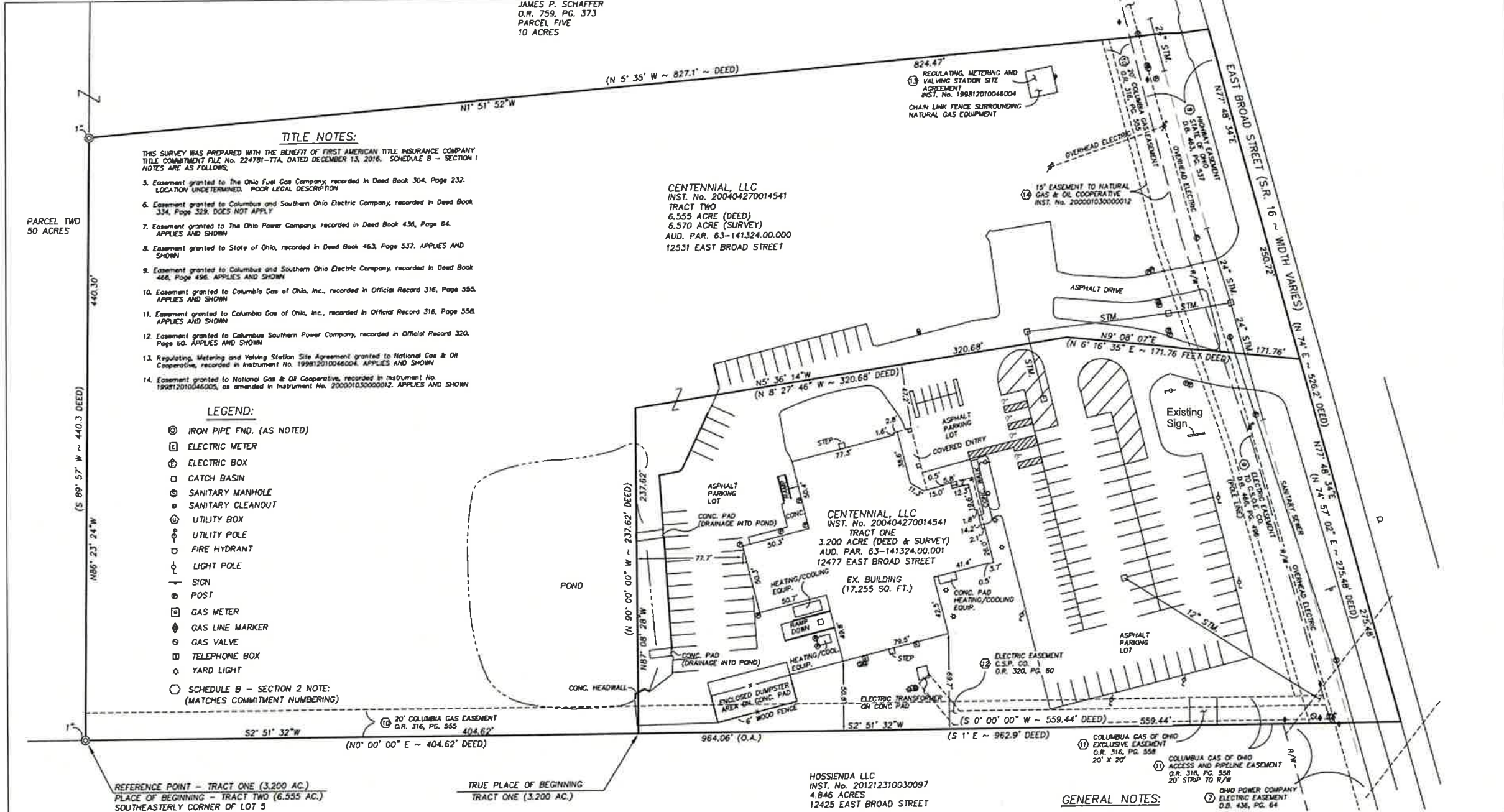
GENERAL NOTES:

- 11 COLUMBIA GAS OF OHIO ACCESS AND PIPELINE EASEMENT O.R. 316, PG. 558 20' X 20'
- 12 COLUMBIA GAS OF OHIO EXCLUSIVE EASEMENT O.R. 316, PG. 558 20' STROP TO R/W
- 13 OHIO POWER COMPANY ELECTRIC EASEMENT O.R. 436, PG. 64

REFERENCE POINT - TRACT ONE (3.200 AC.)
PLACE OF BEGINNING - TRACT TWO (6.555 AC.)
SOUTHEASTERLY CORNER OF LOT 5

TRUE PLACE OF BEGINNING
TRACT ONE (3.200 AC.)

PARCEL TWO
50 ACRES



Rev	Date	By	Description
A	11-17-2020	CWR	Highlight the existing sign.

<h2>TechR2</h2> <p>12477 Broad St SW, Pataskala, OH 43062 www.techr2.com</p>	Drawing Name: Site Survey Image with Sign	
	Project: TechR2 HQ	
Drawn By: C. Robbins	Date Drawn: 12-14-2023	
Checked By:	Date Checked:	
Approved By:	Date Approved:	
Scale: 1=1	Drawing No.: 138-10039-2	Rev: A

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR Nov 15, 2022
0115PA0050000022000 0115056340000001000

TRANSFERRED

Nov 16, 2022
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.802 COMPLIED WITH
MICHAEL L. SMITH
By: SLM 5400.00

InstrID:202211160027278	11/16/2022
Pages:4	F: \$50.00
Bryan A. Long	9:27 AM
Licking County Recorder	120220029682

Limited Warranty Deed

(pursuant to O.R.C. 5302.01 through O.R.C. 5302.07)

12477 E Broad St. Holdings, LLC, aka 12477 E. Broad St. Holdings, LLC, an Ohio limited liability company for valuable consideration paid, grants, with limited warranty covenants, to DK Broad St Holdings, LLC, an Ohio limited liability company, whose tax mailing address 12477 E. Broad St. SW Pataskala, OH, the following real property:

See Exhibit A attached hereto and made a part hereof. ^{Off Hole 2}

Commonly known as: 12531 AND 12477 East Broad Street, Pataskala, OH 43062
Parcel Numbers: 063-141324-00.000 and 063-141324-00.001

Prior Instrument Reference: Instrument Number 201706140012431 (as to 12531 E. Broad St.) and Instrument Number 201701030000026 (as to 12477 East Broad St.), Licking County Recorder's Office.

Subject to all valid and existing building and other restrictions and conditions of record, to all valid and existing zoning restrictions, to all legal highways, to all valid and existing easements of record, and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record, if any, and taxes and assessments due and payable after the date of execution hereof.

Executed this 10th day of November, 2022.

GRANTOR:

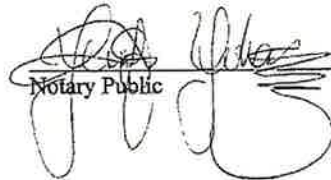
12477 E. Broad St. Holdings, LLC, aka 12477 E Broad St. Holdings, LLC, an Ohio limited liability company

By: 
Alan M. Budd, its CFO

State of Ohio)
County of Franklin)

The foregoing instrument was acknowledged before me this 10th day of November, 2022, by Alan M. Budd, CFO of 12477 E. Broad St. Holdings, LLC, aka 12477 E Broad St. Holdings, LLC, an Ohio limited liability company, on behalf of the Company.

This is an acknowledgement clause. No oath or affirmation was administered to the signer(s) with regard to this notarial act.


Notary Public



JENNIFER YUHASZ
Notary Public, State Of Ohio
My Commission Expires
May 26, 2024

This instrument was prepared by: Catherine J. Baird, Esq. Fisher, Skrobot, & Sheraw, LLC
471 East Broad St., Suite 1810 Columbus, Ohio 43215 (614) 233-6950
File # PT-2022-1093

EXHIBIT A**PARCEL ONE:**

Situated in the State of Ohio, County of Licking, City of Pataskala, Lot 5, Third Quarter of Township 1, Range 15, United States Military Lands, being all of that 6.555 acre tract of land described as Tract Two in a deed to 12477 E. Broad Street Holdings, LLC, of record in Instrument No. 201701030000026, all references herein being to the records located in the Recorder's Office, Licking County, Ohio and being more particularly described as follows;

BEGINNING at a 1" iron pipe found at the southeasterly corner of said Lot 5, being the northeasterly corner of a 50 acre tract of land described as Parcel Two in a deed to James P. Shaffer, of record in Official Record 759, Page 373 and a point in the westerly line of a 5 acre tract of land as described in a deed to The Hossienda LLC, of record in Instrument No. 201212310030997;

Thence North $86^{\circ} 23' 24''$ West, along the southerly line of said Lot 5 and the northerly line of said 50 acre tract, a distance of 440.03 feet to a 1" iron pipe found at the southeasterly corner of a 10 acre tract of land described as Parcel Five in said deed to James P. Shaffer;

Thence North $1^{\circ} 52' 06''$ West, along the easterly line of said 10 acre tract, passing an iron pin set in the southerly right-of-way line of East Broad Street (S.R. 16) at a distance of 767.14 feet (57.2 feet right of station 137+86.7), a total distance of 825.25 feet to a MAG nail set in the centerline of East Broad Street at station 137+97.16 as shown and delineated on a centerline of survey plat for S.R. 16 by the Ohio Department of Transportation Section 0.00.3.60 (1953);

Thence North $77^{\circ} 46' 01''$ East, along said centerline, a distance of 251.00 feet to a MAG nail set at the northwesterly corner of a 3.200 acre tract of land described as Tract One in said deed to 12477 E. Broad St. Holdings, LLC, being centerline station 140+48.16;

Thence along the westerly and southerly lines of said 3.200 acre tract the following courses;

1. South $9^{\circ} 09' 10''$ West, passing a MAG nail set in the southerly right-of-way line of East Broad Street at a distance of 58.61 feet, a total distance of 172.70 feet to a MAG nail set;
2. South $5^{\circ} 35' 11''$ East, a distance of 320.68 feet to an iron pin set;
3. South $87^{\circ} 07' 25''$ East, a distance of 237.62 feet to an iron pin set in the easterly line of said Lot 5, also being a point in the westerly line of the previously mentioned 5 acre tract;

Thence South $2^{\circ} 52' 35''$ West, along the easterly line of said Lot 5 and the westerly line of said 5 acre tract, a distance of 404.62 feet to the PLACE OF BEGINNING and containing 6.574 acres of land.

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, South Zone, North American Datum of 1983.

Iron pins set consist of a $5/8''$ x 30" rebar with a plastic cap inscribed "Jon Adcock, S-8461."

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio P.S. No. 8461 and is based on a field survey performed in April, 2017.

The 6.574 acre tract described above is all of Licking County Auditor's Parcel No. 063-141324-00.000.

Commonly known as: 12531 E. Broad St., Pataskala, OH 43062
PPN: 063-141324- 00.000

PARCEL 2

Situated in the City of Pataskala, County of Licking, State of Ohio, and bounded and described as follows:

Situated in Lot No. 5, Township 1N, Range 15W, Third Quarter, Lima Township now City of Pataskala, Licking County, Ohio, and being more particularly described as follows:

Being a survey of a part of a 9.465 acre parcel (9.7585 acres by new survey) conveyed to Gary L. and Marguerite A. Wells, as recorded in Official Record 258, page 785, in the Licking County Recorder's Office, and further described as follows:

Beginning for reference at an iron pipe found marking the Southeast Quarter of Lot No. 5, and being the Southeast corner of said 9.7585 acre parcel conveyed to Wells;

thence with the East line of said 9.7585 acre parcel conveyed to Wells, the same being the East line of Lot No. 5 N. 00 degrees, 00' 00" E. 404.62 feet to an iron pin set being the Southeast corner and principal place of beginning of the tract herein to be described:

thence leaving said lot line with a line across said 9.7585 acre parcel conveyed to Wells N, 90 degrees 00' 00" W. 237.62 feet to an iron pin set, and being the Southwest corner of the tract herein described;

thence continuing across said 9.7585 acre parcel conveyed to Wells N. 08 degrees 27' 46" W, 320.68 feet to an iron pin set;

thence continuing across said 9.7585 acre parcel conveyed to Wells N. 06 degrees 16' 35" E. 171.76 feet to a railroad spike set in the centerline of State Route 16, being on the North line of said 9.7585 acre parcel conveyed to Wells, being the Northwest corner of the tract herein described; and passing over a reference iron pin set at 107.35 feet;

thence with the North line of said 9.7585 acre parcel conveyed to Wells, the same being the centerline of State Route 16 N. 74 degrees 57' 02" E. 275.48 feet to a railroad spike found marking the Northeast corner of said 9.7585 acre parcel, being on the East line of Lot No. 5, and being the Northeast corner of the tract herein described;

thence leaving the centerline of State Route 16 with the East line of Lot No. 5, the same being the East line of said 9.7585 acre parcel conveyed to Wells, S. 00 degrees 00' 00" W. 559.44 feet to the place of beginning, passing over a reference iron pin found at 62.13 feet, and containing 3.2000 acre, more or less, subject to all legal easements and right of ways of record.

Subject to an easement for a power line to the Ohio Power Company.

The acreage in the above described 3.2000 acre parcel is broken down as follows:

Acreage in Ohio Power Company easement and in State Route 16 right of way = 0.4394.
Acreage remaining in said 3.2000 acre parcel = 2.7606.

The bearings of the above description are based on the east line of Lot #5, the same being the east line of said 9.7585 acre parcel conveyed to Wells as North 00 degrees 00' 00" East.

All iron pins set are 5/8" OD reinforcing bars with yellow caps labeled "Dennis Hagan #6917". The above description is based on an actual field survey by Dennis P. Hagan, Ohio Registered Surveyor #6917, on September 8, 1989.

Commonly known as: 12477 E. Broad St., Pataskala, OH 43062
PPN: 063-141324-00.001

Good Afternoon,

I understand you have been in contact with our City Administrator, Tim Hickin, regarding new signage for TechR2 at 12477 Broad Street SW. He has passed that along to us here at the Planning & Zoning Department for review, and I wanted to reach out to go over the proposal in relation to our Sign Codes.

Unfortunately the sign itself is too large, and the form of the sign would not meet our current Code. Ground signs are limited to 32-square feet in size, and Electronic Message Center (EMC) signs within the City are quite restricted. For the most part, the only type of digital signage allowed is small, single-color displays (such as a bank displaying the time or temperature). Additionally, changeable copy signs must be completely framed by a wall or structure as part of the overall sign. I've included a full list of items that the proposed signage would not comply with below:

- Section 1295.09(b)(2)(C): Freestanding ground signs or cantilever signs shall be no greater than 32 square feet.
 - Proposed sign is 59.52-square feet, exceeds maximum permitted by 27.52-square feet.
- Section 1295.10(b)(7)(A)(1): Changeable copy signs may be installed only on wall or monument style signs and must be completely framed by the wall or monument structure and colors must coordinate with the overall sign design.
- Section 1295.10(b)(7)(A)(3): The changeable copy sign face is limited to 30% of the sign face, or 24 square feet, whichever is less.
 - The maximum permitted ground sign size is 32-square feet, of which, 30% is 9.6-square feet. By default, the maximum size allowable for a LED sign is 9.6-square feet since it is the lesser.
 - Sign exceeds maximum allowable by 49.92-square feet.
- 1295.10(b)(7)(B)(4): EMC (Electronic Message Center) copy may not change more than once in a three (3) minute period, except for time and temperature only displays (which are limited to 1 change in a 20 second period) and gasoline price displays.
 - No details provided in application.
- 1295.10(b)(7)(B)(5): EMCs displays are to be static and are not permitted to flash, roll, scroll, employ other motion or animation techniques during display or changing of copy (in the three (3) minute permitted time).
 - No details provided in application.
- 1295.10(b)(7)(B)(6): All EMCs are limited to dark backgrounds with a single color employed at any one time for any message or image. The color text should coordinate with the overall color scheme of the entire sign structure.
 - By default, full color LED is not permitted by the above section.
- 1295.10(b)(7)(B)(7): All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night.
 - No details provided in application.

I am sure you have noticed that there are a couple of digital signs in the City thus far, and those have been the result of Variance(s) granted by the Board of Zoning Appeals. Should you wish to install the sign as proposed, you would need to file a Variance Application with the Planning and Zoning Department in order to go before the Board of Zoning Appeals at a public hearing, who would decide whether or not to approve the requested Variance(s).

If you have any questions, or would like more information of the Variance process, please feel free to reach out.

Respectfully,

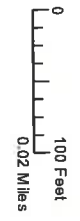
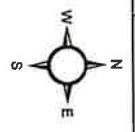
JACK R. KUNTZMAN
City Planner
City of Pataskala
621 West Broad Street, Suite 2-A
Pataskala, Ohio 43062
Phone: 740-964-1316

Property Report

Address		
N/A DK BROAD ST HOLDINGS LLC -- 12477 BROAD ST SW		
Engineer's Pin	Owner	Auditor's PIN
01150563400000001000	N/A DK BROAD ST HOLDINGS	LD63-141324-00.001
Tax Acreage	Deed Acreage	Official Record
3.2	3.2	20221160027278



April 10, 2024



LICKING COUNTY TAX MAP

12477 Broad St Sw

Pataskala, 43062

3

