CALL TO ORDER

ROLL CALL

MEETING MINUTES
Minutes of November 24, 2015
Minutes of the “Special Meeting”
November 30, 2015

NEW BUSINESS

Resolution No. 7-15
A Resolution requesting a variance on the parking requirements to reduce the number of parking spaces at the property located at 995 E. Ash Street

Resolution No. 8-15
A Resolution requesting a variance to increase the maximum menu board sign area allowance at the property located at 995 E. Ash Street

Resolution No. 9-15
A Resolution requesting a variance to increase the maximum height allowance at the property located at 995 E. Ash Street

Resolution No. 10-15
A Resolution requesting a variance to increase the maximum secondary wall sign area allowance at the property located at 995 E. Ash Street

ADJOURNMENT
CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, NOVEMBER 24, 2015
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER
At 6:00 Chairperson Skip Murray called the meeting to order. The Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Chair reviewed the meeting conduct procedures and swore in those persons in attendance. The Chairman asked all persons present to stand and raise their right hand. The Chairman administered an oath to all persons present to testify before the BZA asking them to swear or affirm to tell the truth, and to acknowledge their intent to abide by the oath administered by stating, “I do” or “opposed”. All persons present stood and took the oath to tell the truth with all persons present stating “I do”.

ROLL CALL
Members Present: Mark Spoltman, Skip Murray, Dustin Davis,
Members Absent: Earl Slater
Staff Members: Chris Schmiesing, Becky Cool

Moved by Mr. Davis, seconded by Mr. Spoltman to excuse Mr. Slater from the November 24, 2015 Board of Zoning Appeals Meeting.

Attendees: John Grunkemeyer, Applicant

MEETING MINUTES
Approval of the September 22, 2015 Board of Zoning Appeals minutes. Moved by Mr. Spoltman, seconded by Mr. Murray. Roll call, Aye: Spoltman, Murray, and Davis. Nay: None. Motion carried on a roll call vote 3-0 vote in support of the motion. Minutes were approved.

NEW BUSINESS
Resolution No. BZA 04-15
A Resolution requesting a variance on the area requirements for a private garage accessory structure located at 306 Linden Avenue

City Planner Chris Schmiesing presented the Staff Report.

Mr. Schmiesing stated this request is for an expansion of a garage accessory structure to a single family residence located at 306 Linden Avenue. This came to the city’s attention by way of the Miami County Building Regulations Department discovering that the subject structure was being constructed without the proper permits. A Stop Work Order was issued, and the property owner was notified that a permit was required to continue with the construction. This prompted the applicant to come to the Planning & Zoning office to apply for the proper permit. The applicant came to the office and discussed the scope of his improvements, and what his plans are. But the new structure is not in compliance with the Zoning Code. Mr. Schmiesing
stated the structure the applicant is building is larger than the required 720 square foot, and provided additional information on the code requirements and the type of structure the applicant would like to construct. Mr. Schmiesing provided information on several other accessory structures that are located within the applicant’s area.

Mr. Murray stated he noted from the pictures included in the packet that the structure was well on the way to completion. Mr. Schmiesing stated yes it is approximately 75% complete at this time.

Mr. Murray asked what the timeframe was when this was brought to the city’s attention. Mr. Schmiesing explained.

Mr. Davis inquired about the property across the street from 306 Linden that has the red pole barn. Mr. Schmiesing explained.

Mr. Murray asked if the proper permits have been obtained from Miami County Building Regulations Department yet. Mr. Schmiesing stated the City has to sign off on the Zoning Permit before the County will release the actual Building Permit. And that has not happened yet, thus the reason for the variance.

Mr. Schmiesing stated he received a call from one neighbor on Blaine Avenue who voiced her concern about the alley right of way behind her house, and the applicant’s property.

PUBLIC COMMENT

John Grunkemeyer, applicant, came forward and provided a brief overview of his plans.

Board members asked questions on how far along the structure was, when it was started, if there were any permits pulled before construction began, any permits been applied for at this time, will he be adding electric to new construction, and voiced concern over the ingress/egress being in the rear or front.

Mr. Grunkemeyer explained and answered all questions. Mr. Schmiesing provided additional information regarding the use of the alley and the right of way.

Mr. Spoltzman explained what the Board of Zoning Appeals position was and, what they were required to do as a board.

Board members noted that the proposed structure was extremely larger than any other garages in the neighborhood, and questioned Mr. Grunkemeyer on his reason for such an unusually large garage, and what his plans were for all the area. Board members voiced their concern
over the use of the alley, and if other residents would have access to the alley.

Mr. Schmiesing provided additional information on the City process and what the County would look at with the existing structure. There was discussion of the alley being paved in the future with Mr. Grunkemeyer being in favor of the having the alley paved in the future.

Mr. Murray asked if it ever occurred to Mr. Grunkemeyer that he might need to apply for building permits before starting such a large project. Mr. Grunkemeyer explained.

Mr. Jacobs, 321 Blaine Avenue came forward stating Mr. Grunkemeyer does excellent work and his house looks great, but is concerned about the alley being used.

Board members discussed the circumstances the Board of Zoning Appeals could consider to approve the variance and found they were not able to approve the variance at this time.

After discussion all Board members in attendance were in agreement to deny the variance at this time.

Mr. Grunkemeyer stated he was just trying to improve his property and does not understand what he his next step would be now that his request was denied.

Mr. Davis motioned to deny the variance request as submitted, and Mr. Murray seconded the motion. Roll call vote on the motion resulted in Mr. Spoltman, Mr. Murray, and Mr. Davis voting Nay on the motion. Resolution No. 4-15 was denied on a 3-0 vote

**Resolution No. 05-15**

A Resolution appealing the enforcing official’s decision regarding the construction of a new fence, and the construction of a driveway with a gravel surface in the front yard located at 523 Weber Street

City Planner Chris Schmiesing presented the Staff Report.

Mr. Schmiesing stated this is a request for a variance for a driveway and a fence located at 523 Weber Street. This item was brought to our attention by the Engineering Department the fence was constructed in front yard of the house and was over the 42 inch height limit for a front yard. Secondarily there is a partially constructed driveway with a gravel surface which does not comply with code regulations on the surface materials. The property owner did not supply any additional information or a site plan. Both of the improvements have been done without a permit at this time. The property owner did not
come in but a close friend did and he expressed very little interest
on what was required and stated they wanted to come before the Zoning
Appeals Board to see if they could get approval. They were given the
information on when the Board of Zoning Appeal Meeting would be held.
The applicant was not present at the meeting to answer any questions
regarding the variance.

Mr. Spoltman stated he was not quite sure what is before the Board of
Zoning Appeals for sure. Mr. Schmiesing explained what the applicant
was requesting.

Mr. Murray inquired about the curb cut and what they are asking for.

Mr. Schmiesing explained what was required and where a permit could
be obtained. There really is not a need for a variance but the
applicant needs to make some corrections, stated Mr. Schmiesing, but
applicant wanted to go forward with the request.

Board members questioned who the property owner is, and if there was a
variance application filled out. Mr. Schmiesing explained.

**Public Comment**

No one came forward to speak for or against Resolution 5-15 at this
time.

There was a question regarding the language in the Resolution on the
second page, the last paragraph.

Mr. Schmiesing stated it was presented as an appeal of the enforcing
officer’s decision.

Moved by Mr. Spoltman, seconded by Mr. Davis to amend Resolution No.
5-15 to change the language in the last paragraph of the Resolution to
read as: NOW THEREFORE BE IT RESOLVED that ________ motioned to
approve/deny the appeal of the enforcing officer’s decision at 523
Weber Street, Piqua. The Motion was seconded by __________and the
request was approved/denied with a roll call vote of ______. Aye: Mr.
Spoltman, Mr. Davis, and Mr. Murray. Nay None. Motion carried
unanimously to amend Resolution No. 5-15.

Mr. Davis motioned to deny the variance request as submitted and Mr.
Murray, seconded the motion. Roll call vote on the motion resulted in
Mr. Spoltman, Mr. Murray, and Mr. Davis voting Nay in support of the
motion. The resolution was denied by a 3-0 vote.

**ADJOURNMENT**

With no other business before the Board, a motion was made by Mr.
Davis, seconded by Mr. Spoltman. With all those present in favor the
meeting was adjourned at 7:13 P.M.
CALL TO ORDER

At 12:00 P.M. Chairperson Skip Murray called the Special Meeting to order. The Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Chair reviewed the meeting conduct procedures and swore in those persons in attendance. The Chairman asked all persons present to stand and raise their right hand. The Chairman administered an oath to all persons present to testify before the BZA asking them to swear or affirm to tell the truth, and to acknowledge their intent to abide by the oath administered by stating, "I do" or "opposed". All persons present stood and took the oath to tell the truth with all persons present stating "I do".

ROLL CALL

Members Present: Mark Spoltman, Skip Murray, Dustin Davis,
Members Absent: Earl Slater
Staff Members: Chris Schmiesing, Becky Cool

Applicant: John Grunkemeyer

Moved by Mr. Murray, seconded by Mr. Spoltman to excuse Mr. Slater from the November 24, 2015 Board of Zoning Appeals Meeting. Roll call, Mr. Murray, Mr. Spoltman, and Mr. Davis.

NEW BUSINESS

Resolution No. BZA 06-15
A Resolution requesting a variance on the area requirements for a private garage accessory structure located at 306 Linden Avenue

City Planner Chris Schmiesing presented the Staff Report.

Mr. Schmiesing stated this request is for an expansion of a garage accessory structure to a single family residence located at 306 Linden Avenue. This is a variation of what was discussed at the previous Board of Zoning Appeals meeting on November 24, 2015. The outcome of the meeting was denial of the variance request which included the construction of a new accessory structure that was attached to an existing accessory structure producing a total area of 1700 square feet. After talking with the applicant this is a proposed revision to what was the request which will bring it into accordance with what the Board seemed to more accepting of from the previous discussion.

There were two major concerns, one was entering and exiting from the unapproved alley and having to improve the alley, the other being the overall area of the structure size being more than double the allowed size of 720 square feet.
The applicant indicated he would be willing to work with the board and asked if they would allow the proposed 960 square foot garage to remain, and to demolish the existing 780 square foot, which would make the total square footage 960 square feet. Given the circumstance this might be a better solution at this time. Secondly, the applicant was agreeable to upon demolishing the existing garage utilizing the existing Linden Avenue driveway as a means for ingress and egress to the new accessory structure. The driveway would be extended to connect with the proposed garage upon completion of the demolition of the existing structure. The applicant would like to be able to complete the demolition work in the spring allowing him to focus on finishing the three sides of the exposed proposed structure, complete the demolition of the existing structure in the spring, and complete the construction of the driveway.

Mr. Schmiesing stated that is the wording of the resolution presented, the approval would be for a 960 square foot accessory structure and provides two conditions. Condition number one is the existing 780 square foot private drive accessory structure be demolished by April 15, 2016. Condition number two stating the driveway improvements providing motor vehicle access to the proposed garage be from Linden Avenue, and construction and installation of the driveway be completed by May 15, 2016. This is allowing the applicant to complete the necessary work in the spring time.

Mr. Spoltman stated at the last meeting Resolution No. 4-15 was defeated and is done now, and Resolution No. 6-15 is a new resolution, is this allowable by the Board? Mr. Schmiesing stated yes.

Mr. Grunkemeyer came forward to answer questions from the Board.

Mr. Murray asked after demolishing the existing garage what is his intention for the driveway, and will he put a garage door on the new structure. Mr. Grunkemeyer explained his plans.

Mr. Spoltman stated at the last meeting it was hard to justify the peculiar exception and unusual circumstances found on this location. Mr. Spoltman further stated with the removal of the existing garage, the increased setback, and the new size he believes it is within the surrounding properties and is justifiable with the new plan.

Mr. Davis also stated he feels it is now justified with the new plan provided.

Mr. Murray concurred with the new configuration, and that it is in line with what the Zoning Appeals Board can do.
Mr. Spoltman motioned to approve the variance request as submitted, and Mr. Davis seconded the motion. Roll call vote on the motion resulted in Mr. Spoltman, Mr. Murray, and Mr. Davis voting aye in support of the motion. The resolution was approved by a 3-0 vote.

Mr. Schmiesing stated Mr. Grunkemeyer should come in to the Planning and Zoning Department to apply for a Zoning Permit to complete the work.

**ADJOURNMENT**

With no other business before the Board, a motion was made by Mr. Spoltman, seconded by Mr. Davis. With all those present in favor the meeting was adjourned at 6:30 P.M.
RESOLUTION NO. BZA 7-15

WHEREAS, Lynsey Jordon, on behalf of McDonald’s Corporation, owner of the McDonald’s, 995 E. Ash St. in the City of Piqua, Ohio, being in a district zoned B (General Business), has filed a petition for a variance to reduce the number of parking spaces at the property located at 995 E. Ash St., Piqua, Ohio.

WHEREAS, the City of Piqua Code of Ordinances Chapter 154.082 (E)(16) establishes that:

154.082 PARKING REQUIREMENTS.

The amount of required parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following minimum parking provisions. However, no parking area shall project into a required front yard in any residential district or be permitted between the curb line and property lines in any district, except as otherwise provided.

(E) Road service and commercial entertainment uses.

(16) Restaurants, fast food. One space per 50 gross square feet of floor area, plus one space per employee on the largest shift, with a minimum of 15 total spaces, and with off-street automobile waiting space for eight vehicles for each drive-in window, with the automobile waiting spaces to be located behind the point where a drive-in order is placed.

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that ______________ motioned to approve/deny the request for a variance to reduce the number of parking spaces provided from the 109 spaces required to 46 spaces at the property located at 995 E. Ash St., Piqua, Ohio. The motion was seconded by ______________ and the request was approved/denied with a vote of ____ as recorded below.
RESOLUTION No. BZA 7-15

AYE  NAY  ABSTAIN  ABSENT

Mr. Mark Spoltman
Mr. Skip Murray
Mr. Dustin Davis
Mr. Earl Slater
Mr. David Fishback
City of Piqua  
Planning and Zoning Department  
201 W Water St.  
Piqua, OH 45356  

November 20th, 2015  

RE: McDonald's Side by Side Drive-Thru Project  
995 E. Ash Street  
Piqua, OH 45356  

Dear Planning and Development:

This letter is in regards to the proposed McDonald’s Drive-Thru Project located at 995 E. Ash Street on behalf of McDonald’s Corporation.

PROJECT SUMMARY
The project scope includes rebuilding the existing McDonald’s Restaurant to update kitchen and dining space and bring a modernized concept to the City of Piqua. The site will be updated with parking stalls, landscaping, and a double drive-thru to assist with vehicle stacking and traffic flow. The exterior of the building will consist mainly of brick with tile arcades and metal canopies. The dining space will promote an inviting, comfortable atmosphere for customers and will include a family zone with interactive table top play areas for children. There will also be an exterior patio provided for outdoor seating. Per Section 154.025(D)(3)(g) of the Piqua zoning code, fast food restaurants are considered a special use and require Planning Commission approval. We are seeking approval of the McDonald’s rebuild project at the December 8th Planning Commission meeting.

VARIANCE REQUEST
The proposed site will include 46 parking stalls. Based on the parking calculation in the City of Piqua zoning code, 109 parking spaces are required for a drive-thru restaurant. Research and data was provided by McDonald’s corporation showing that 67% of customers use the drive-thru and this number is projected to increase by 4%-5% once the restaurant is rebuilt. McDonald’s has also been granted an easement from the neighboring shopping center allowing additional parking. The easement documentation is attached for reference. As seen in the attached site plan, the side-by-side drive-thru is designed to provide all drive-thru stacking on site and eliminate the vehicles from overflowing to the main road. Therefore, the zoning code requirement cannot be met and we are seeking a variance to allow for the amount of parking spaces on the proposed site plan.

Based on the City of Piqua signage requirements, a drive-thru menu board cannot exceed 32 square feet per sign face. McDonald’s standard menu boards are approximately 41 square feet. The menu board size has been determined by years of trial boards. The proposed sign size allows larger print to help customers easily read the items and pricing when ordering. The menu board is also setup to help the drive-thru process efficiently flow by allowing the customer behind the order point view the pictures on
the sign and be prepared to order when pulling up to the speaker. The Menu Board and Pre-Sell Board Placement Diagram at the end of this summary illustrates the location of the board in reference to the vehicles in line. Based on this information, we are seeking a variance to increase the area of the menu board by nine square feet.

McDonald’s will also be proposing a Pre-Sell sign along each drive-thru lane. The Pre-sell signs will be placed 30 feet from the menu boards. This sign is designed to inform the customers of new menu items that are only available for limited time. By adding this sign, the customer is presented with these new items in advance and can decide if it is something they want to try before getting to the order point. The size of this sign allows the customer to adequately view the new menu items and read the pricing without difficulty. The Piqua sign code allows for a secondary permanent detached sign per drive-thru lane that shall not exceed 6 square feet in area and 4 feet in height. The proposed Pre-Sell sign is approximately 8.24 square feet in area and 6.75 feet in height. Therefore, we are seeking a variance to all the increase in height and square footage of the pre-sell sign.

As part of the modernization to the McDonald’s restaurants around the world, the trademark logo arch has followed the brand. With the new exterior design, the logo has been placed on the façade to give dimension and design in areas of the building that appear blank. Although the logo arch is manufactured as a sign, it is placed on the building as a design element. Within this area, the appropriate size of the logo arch was determined to be 14 SF (boxed) and 4.9 SF (actual). On the front façade of the proposed building, the logo arch is considered a secondary sign and cannot exceed 6 square feet. We are seeking a variance to allow the logo arch as a secondary sign with the square footage as previously stated.

Thank you for the opportunity to submit the supporting information in regards to the McDonald’s Project. Please do not hesitate to contact us with any questions or for additional information. We look forward to working with the City of Piqua on what we believe will be a successful project for the community.

Thank You,

[Signature]

Lynsey Jordan
Permit Solutions, Inc.
(330) 524-3113
londecker@permitsolutionsohio.com
BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

-PLEASE TYPE OR PRINT-

APPLICANT NAME  Lynsey Jordan agent of McDonald's
APPLICANT ADDRESS  P.O. Box 307774
CITY  Columbus  STATE  OH  ZIP  43230
PHONE  (330)  524-3113
LEGAL INTEREST OF APPLICANT  Agent of the owner

OWNER NAME  McDonald's Corporation
BUSINESS NAME  McDonald's
OWNER ADDRESS  2 Easton Oval
CITY  Columbus  STATE  OH  ZIP  43219
PHONE  (614)  418-3300

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS  995 E Ash St
CITY  Piqua  STATE  Ohio  ZIP  45356
LOT NUMBER  7687 & 7686  ZONING DESIGNATION  B- General Business

TYPE OF VARIANCE BEING REQUESTED  --(CIRCLE ONE)  ZONING  -OR-  SIGN

-CHECK ALL BOXES THAT APPLY-
☐ ZONING ENFORCEMENT APPEAL  ☐ SPECIAL DRIVeway  ☐ HEIGHT VARIANCE  ☐ SETBACK VARIANCE  ☐ AREA VARIANCE  ☐ PARKING VARIANCE  ☐ ZONING MAP BOUNDARY LINE  ☐ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST  See attached project summary

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER  [Signature]  DATE  11/19/15
SIGNATURE OF APPLICANT  [Signature]  DATE  11/19/15

NOTE - BOTH OWNER AND APPLICANT MUST SIGN THIS FORM IN INK REQUIRED TO PROCESS REQUEST

$25.00 FEE PAID - RECEIVED BY -
RECEIPT No. - DATE -
MEMORANDUM OF LEASE
(Shopping Center)

THIS MEMORANDUM OF LEASE, dated this 23rd day of July, 1993, is between Pebbco Holding, Inc., a New York corporation by J. J. Gansberg Co., Agent, a Delaware corporation (the "LANDLORD"), whose address is 1051 Biltmore Road, Pittsburgh Pennsylvania 15231, and McDonald's Corporation, a Delaware corporation (the "TENANT"), whose principal place of business is located at McDonald's Plaza, Oak Brook, Illinois 60521.

LANDLORD hereby leases to TENANT the demised premises with improvements and appurtenant easements, if any, in the City of Piqua, County of Miami, State of Ohio, described in Exhibit A attached and made a part of this Memorandum of Lease.

1. TERM: TO HAVE AND TO HOLD for a term of twenty years, commencing on July 20, 1993, and ending twenty (20) years from the date when a McDonald's Restaurant constructed on the demised premises opens for business.

2. OPTION TO EXTEND: LANDLORD grants to TENANT the option to extend the term of the Lease at the expiration of the original term for successive periods aggregating 20 years.

3. COMMON AREA EASEMENT: LANDLORD grants to TENANT and TENANT'S lessees, licensees, assigns, subtenants and patrons, during the term of the Lease and any extension, a non-exclusive ingress/egress and parking easement to use all of those portions of the property described in Exhibit B (the "Shopping Center") designated as parking areas and driveways.

4. UTILITY EASEMENT: LANDLORD grants to TENANT, during the term of the Lease and any extension, a Non-Exclusive Easement to use portions of the Shopping Center as may reasonably be required now or in the future by the TENANT for the installation, maintenance and repair of sanitary sewer, water, gas and electric utility lines and related facilities.

5. STORM SEWER EASEMENT: LANDLORD grants to TENANT, during the term of the Lease and any extension, a Non-Exclusive Easement and license to connect to and use the storm sewer line and related facilities located in the Shopping Center and/or to surface drain over the Shopping Center.

6. PERMANENT EASEMENT: If the TENANT acquires fee title to the demised premises under the terms of the Lease, the easements conveyed in Paragraphs 3, 4, and 5 above shall be perpetual.
7. **MEMORANDUM**: The rents to be paid by TENANT and all of the obligations and rights of LANDLORD and TENANT are set forth in the Ground Lease dated April 30, 1993 executed by the parties. This instrument is merely a Memorandum of the Lease and is subject to all of its terms, conditions and provisions. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail as between the parties. This memorandum is binding upon and shall inure to the benefit of the heirs, successors, assigns, executors and administrators of the parties.

To indicate their agreement to the above, the parties or their authorized representatives or officers have signed this document.

**LANDLORD**: Polco Holding, Inc.  
**BY**: J.J. Quastberg Co., Agent  
[Signature]

**TENANT**: MCDONALD'S CORPORATION  
**BY**: [Signature]  
**Director Real Estate Legal**  
**ATTEST**: [Signature]  
**Assistant Secretary**

**APPROVED**  
Lawrence N. Quastberg, Sr. Vice President

**LEGAL**  
Lori J. Smock, Assistant Secretary

**WITNESS**:  
[Signature]  
[Name]

[Signature]  
[Name]

(ATTACH ACKNOWLEDGMENT OF SIGNATURES AND EXHIBITS A AND B)
STATE OF ILLINOIS  
COUNTY OF DuPage  

Kimberly Klueutsch, a Notary Public in and for the county and state aforesaid, do hereby certify that Catherine A. Griffin, Home Office Director of McDonald's Corporation, a Delaware corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Home Office Director appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act as such Home Office Director and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 23rd day of July, 19___.


STATE OF  
COUNTY OF  

Kimberly Klueutsch, a Notary Public in and for the county and state aforesaid, do hereby certify that ________ (he)(they) are personally known to me to be the same person(s) whose name(s) is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that (he)(they) signed, sealed and delivered the said instrument as (his)(their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal, this ___ day of ___, 19___.

My commission expires __________.

STATE OF  
COUNTY OF  

Kimberly Klueutsch, a Notary Public in and for the county and state aforesaid, do hereby certify that ________ (he)(she)(they) are President of McDonald's Corporation, who is personally known to me to be the person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that (he)(she)(they) signed, sealed and delivered the said instrument as his free and voluntary act as such President and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this ___ day of ___, 19___.

My commission expires __________.
Situated in the State of Ohio, County of Miami, City of Piqua, Section 30, Town 1, Range 11, being all of Inlot 7687 and part of Inlot 7686 in said city, as same are designated and delineated in Plat Book 14, Page 147, in the Recorder's Office, Miami County, Ohio and being more particularly described as follows:

Beginning at an iron pin found, capped "Coven", at the southeasterly corner of said Inlot 7687 and on the northerly right-of-way line of Center Court (59'-6") right-of-way dedicated in Plat Book 14, Page 146;

Thence, southwesterly along said southerly right-of-way line and the southerly lines of said Inlots 7687 and 7686, being the arc of a curve to the left, having a radius of 1366.00 feet, a central angle of 59° 30' 36", an arc of 219.05 feet and the chord bearing South 89° 39' 49" West 218.60 feet, to a 5/8" rebar set;

Thence North 2° 31' 15" West 240.37 feet, crossing said Inlot 7686, to a 5/8" rebar set on the southerly right-of-way line of U.S. Route 35;

Thence North 87° 28' 45" East 218.64 feet, along said southerly right-of-way line and the northerly lines of said Inlots 7685 and 7687, to the northeasterly corner of said Inlot 7687, witness an iron pin found capped "Shaw, Weiss & DeNaples" at 0.05 feet south and 0.15 feet west, also a concrete monument found at North 87° 28' 45" East 164.00 feet at the northeasterly corner of Inlot 7688;

Thence South 2° 31' 15" East 243.71 feet, along the easterly lines of said Inlot 7687 and the westerly lines of Inlot 7686 to the Place of Beginning,

Located in Miami County, Ohio, Region 36, Sec. 1, P. 15

[Signatures and dates]

EXHIBIT A
PARCEL A: SITUATED IN THE CITY OF PIQUA, COUNTY OF MIAMI, AND STATE OF OHIO AND BEING ALL OF INLOTS NUMBER 7085, 7686, 7689, 7691, 7692, AND PART OF OUTLOT 279, IN SAID CITY AS SHOWN ON THE REPLAT OF INLOTS 6918, 6919, 6920, 6925, 6930 AND PART OF OUTLOT 279 RECORDED IN PLAT BOOK 14, PAGE 147-A AND 147-B.

PARCEL B: SITUATED IN THE TOWNSHIP OF SPRINGCREEK, COUNTY OF MIAMI AND STATE OF OHIO, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING A PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWN 1, RANGE 11, MRS AND ALSO BEING PARTLY WITHIN THE CITY OF PIQUA, SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A P.K. NAIL IN THE CENTERLINE OF GARBY ROAD, WHICH MARKS THE SOUTHEAST CORNER OF INLOT 6936; THENCE NORTH 82°09'15" EAST, WITH THE CENTERLINE OF GARBY ROAD, 13.04 FEET TO A P.K. NAIL AT THE INTERSECTION WITH THE EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 75, WITNESS AN IRON PIN 30.0 FEET DISTANT ON LINE NEXT DESCRIBED; THENCE SOUTH 8°36'30" EAST WITH THE WEST RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 75, A TOTAL DISTANCE OF 48.12 FEET TO AN IRON PIN; THENCE SOUTH 12°01'33" EAST, WITH THE WEST RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 75, A TOTAL DISTANCE OF 39.12 FEET TO AN IRON PIN; THENCE SOUTH 0°02'24" EAST 75.16 FEET TO AN IRON PIN AT THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF THE FORMER CONRAIL RAILROAD; THENCE NORTHWESTERLY, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 5729.65 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ABANDONED RAILROAD, A TOTAL ARC DISTANCE OF 455.10 FEET TO AN IRON PIN, THE LONG CHORD OF THIS ARC BEARS NORTH 79°45'31" WEST AND IS 454.38 FEET IN LENGTH; THENCE NORTH 0°02'24" WEST 454.38 FEET TO A P.K. NAIL AT THE INTERSECTION WITH THE CENTERLINE OF GARBY ROAD, WITNESS AN IRON PIN 30.28 FEET DISTANCE ON LINE LAST DESCRIBED; THENCE NORTH 82°09'35" EAST WITH THE CENTERLINE OF GARBY ROAD, 398.17 FEET TO THE PLACE OF BEGINNING.

DESCRIPTION PREPARED BY RICHARD W. KLOOCHER, PROFESSIONAL SURVEYOR #4370 IN ACCORDANCE WITH A SURVEY FILED IN THE MIAMI COUNTY ENGINEER'S RECORDS OF LOT SURVEYS VOLUME 17, PAGE 144.

SAID REAL ESTATE WAS ANNEXED TO THE CITY OF PIQUA, OHIO IN PLAT BOOK "15", PAGE 46 AND IS NOW KNOWN AS LOT NUMBERED SEVEN THOUSAND SEVEN HUNDRED SIXTY-ONE (7761) OF THE CONSECUTIVE NUMBER OF LOTS ON THE REvised PLAT OF THE CITY OF PIQUA, OHIO.
DESCRIPTION:
Situated in the State of Ohio, County of Miami, City of Piqua. Section 30, Town 1, Range 11, being all of Lots 7696 and part of Lots 7689 and 7689 in said city, as same are designated and delineated in Plat Book 14, Page 147, in the Recorder's Office, Miami County, Ohio.

Note:
- This exhibit was prepared from existing deeds and surveys of record. It does not represent a boundary survey.
- The actual location of the easement is the existing paved drives and parking areas on each lot.
RESOLUTION No. BZA 8-15

WHEREAS, Lynsey Jordan, on behalf of McDonald's Corporation, owner of the McDonald’s, 995 E. Ash St. in the City of Piqua, Ohio, being in a district zoned B (General Business), has filed a petition for a variance to increase the maximum 32 sq. ft. menu board sign area allowance to 41 sq. ft. at the property located at 995 E. Ash St., Piqua, Ohio.

WHEREAS, the City of Piqua Code of Ordinances Chapter 154.101 (D) (2)(6) establishes that:

154.101 PERMANENT; DETACHED SIGNS.

(2) Number of signs

(6) Each lot shall be permitted two ground signs or monuments signs for each drive through lane located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided the sign face area of each sign does not exceed 32 square feet and the height of the signs do not exceed eight feet.

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that ________________ motioned to approve/deny the request for a variance to increase the maximum 32 sq. ft. menu board sign area allowance to 41 sq. ft. at the property located at 995 E. Ash St., Piqua, Ohio. The motion was seconded by ________________ and the request was approved/denied with a vote of _____ as recorded below.

Mr. Mark Spoltman
Mr. Skip Murray
Mr. Dustin Davis
Mr. Earl Slater
Mr. Mark Fishback

AYE   NAY   ABSTAIN   ABSENT
City of Piqua  
Planning and Zoning Department  
201 W Water St.  
Piqua, OH 45356  

November 20th, 2015

RE: McDonald’s Side by Side Drive-Thru Project  
995 E. Ash Street  
Piqua, OH 45356

Dear Planning and Development:

This letter is in regards to the proposed McDonald’s Drive-Thru Project located at 995 E. Ash Street on behalf of McDonald’s Corporation.

PROJECT SUMMARY
The project scope includes rebuilding the existing McDonald’s Restaurant to update kitchen and dining space and bring a modernized concept to the City of Piqua. The site will be updated with parking stalls, landscaping, and a double drive-thru to assist with vehicle stacking and traffic flow. The exterior of the building will consist mainly of brick with tile arcades and metal canopies. The dining space will promote an inviting, comfortable atmosphere for customers and will include a family zone with interactive tabletop areas for children. There will also be an exterior patio provided for outdoor seating. Per Section 154.025(D)(3)(g) of the Piqua zoning code, fast food restaurants are considered a special use and require Planning Commission approval. We are seeking approval of the McDonald’s rebuild project at the December 8th Planning Commission meeting.

VARIANCE REQUEST
The proposed site will include 46 parking stalls. Based on the parking calculation in the City of Piqua zoning code, 109 parking spaces are required for a drive-thru restaurant. Research and data was provided by McDonald’s corporation showing that 67% of customers use the drive-thru and this number is projected to increase by 4%–5% once the restaurant is rebuilt. McDonald’s has also been granted an easement from the neighboring shopping center allowing additional parking. The easement documentation is attached for reference. As seen in the attached site plan, the side-by-side drive-thru is designed to provide all drive-thru stacking on site and eliminate the vehicles from overflowing to the main road. Therefore, the zoning code requirement cannot be met and we are seeking a variance to allow for the amount of parking spaces on the proposed site plan.

Based on the City of Piqua signage requirements, a drive-thru menu board cannot exceed 32 square feet per sign face. McDonald’s standard menu boards are approximately 41 square feet. The menu board size has been determined by years of trial boards. The proposed sign size allows larger print to help customers easily read the items and pricing when ordering. The menu board is also setup to help the drive-thru process efficiently flow by allowing the customer behind the order point view the pictures on
the sign and be prepared to order when pulling up to the speaker. The Menu Board and Pre-Sell Board Placement Diagram at the end of this summary illustrates the location of the board in reference to the vehicles in line. Based on this information, we are seeking a variance to increase the area of the menu board by nine square feet.

McDonald’s will also be proposing a Pre-Sell sign along each drive-thru lane. The Pre-sell signs will be placed 30 feet from the menu boards. This sign is designed to inform the customers of new menu items that are only available for limited time. By adding this sign, the customer is presented with these new items in advance and can decide if it is something they want to try before getting to the order point. The size of this sign allows the customer to adequately view the new menu items and read the pricing without difficulty. The Piqua sign code allows for a secondary permanent detached sign per drive-thru lane that shall not exceed 6 square feet in area and 4 feet in height. The proposed Pre-Sell sign is approximately 8.24 square feet in area and 6.75 feet in height. Therefore, we are seeking a variance to all the increase in height and square footage of the pre-sell sign.

As part of the modernization to the McDonald’s restaurants around the world, the trademark logo arch has followed the brand. With the new exterior design, the logo has been placed on the façade to give dimension and design in areas of the building that appear blank. Although the logo arch is manufactured as a sign, it is placed on the building as a design element. Within this area, the appropriate size of the logo arch was determined to be 14 SF (boxed) and 4.9 SF (actual). On the front façade of the proposed building, the logo arch is considered a secondary sign and cannot exceed 6 square feet. We are seeking a variance to allow the logo arch as a secondary sign with the square footage as previously stated.

Thank you for the opportunity to submit the supporting information in regards to the McDonald’s Project. Please do not hesitate to contact us with any questions or for additional information. We look forward to working with the City of Piqua on what we believe will be a successful project for the community.

Thank You,

Lynsey Jordan
Permit Solutions, Inc.
(330) 524-3113
londecker@permitsolutionsohio.com
BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

-PLEASE TYPE OR PRINT-

APPLICANT NAME  Lynsey Jordan agent of McDonald's

APPLICANT ADDRESS  P.O. Box 307774

CITY  Columbus  STATE  OH  ZIP  43230

PHONE  (330)  524 - 3113

LEGAL INTEREST OF APPLICANT  Agent of the owner

OWNER NAME  McDonald's Corporation

BUSINESS NAME  McDonald's

OWNER ADDRESS  2 Easton Oval

CITY  Columbus  STATE  OH  ZIP  43219

PHONE  (614)  418 - 3300

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED

STREET ADDRESS  995 E Ash St

CITY  Piqua  STATE  Ohio  ZIP  45356

LOT NUMBER  7687 & 7686  ZONING DESIGNATION  B - General Business

TYPE OF VARIANCE BEING REQUESTED  - (CIRCLE ONE)  ZONING  - OR -  SIGN

-CHECK ALL BOXES THAT APPLY-

☐ ZONING ENFORCEMENT APPEAL  ☑ AREA VARIANCE

☐ SPECIAL DRIVEWAY  ☑ PARKING VARIANCE

☐ HEIGHT VARIANCE  ☑ ZONING MAP BOUNDARY LINE

☐ SETBACK VARIANCE  ☑ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST  See attached project summary

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER  

DATE  11/19/15

SIGNATURE OF APPLICANT  Lynsey Jordan

DATE  11/19/15

NOTE - BOTH OWNER AND APPLICANT MUST SIGN IN INK REQUIRED TO PROCESS REQUEST

*******************************OFFICE USE ONLY*******************************

$25.00 FEE PAID  -  RECEIVED BY  -

RECEIPT No.  -  DATE  -
Menu Board and Pre-Sell Board Diagram

100'-0"
80'-0"
(+/5')
60'-0"
MIN.

42'-45'
OPO Outdoor Menu Board

Illumination: LED

Electrical: First Circuit: 120/1/60, 15 amp
Second Circuit: 120/1/60,15 amp

Ship Weight: 1,313 lbs.

Other:
- Please call IMS for graphics, 800-937-7671
- Triangular design for increased graphic options
- Available in a manual or automated version. Automated version must be ordered directly from Florida Plastics.
Miami County, Ohio - Property Record Card
Parcel: N44-076534
Card: 1

GENERAL PARCEL INFORMATION
Owner: MIDAMCO
Property Address: 995 E ASH ST
Mailing Address: 218 W ASH STREET
PIGUA OH 45356-2250
Land Use: 450 - DRIVE-IN RESTAURANT OR FOOD SER
Legal Acreage: 1.212
Legal Description: IN LOT 7687 IN LOT 7686 E PT
MCDONALDS

NOTES
[CARD 001] SMDA#: N44-SE152 -029-00

VALUATION
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<td>$0.00</td>
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<td>Taxable Value</td>
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RESIDENTIAL

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<td>1520</td>
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<td>$11,172.00</td>
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<tr>
<td>PT1 - Patio Concrete</td>
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<td>$0.00</td>
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IMPROVEMENTS

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<td>Paving Asphalt</td>
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AGRICULTURAL

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<th>Land Type</th>
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<th>Acres</th>
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SALES

Date: 12/10/1993    Buyer: MIDAMCO    Seller: Unknown
Price: $1750000

COMMERCIAL

Description: Fast Food Restaurant
Year Built: 1993
Year Remodeled: 0
Unit Count: 0
Section Number: 1
Section Area: 4556
Wall Height: 12
Section Story Count: 1
RESOLUTION No. BZA 9-15

WHEREAS, Lynsey Jordon, on behalf of McDonald’s Corporation, owner of the McDonald’s located at 955 E. Ash St. in the City of Piqua, Ohio, being in a district zoned B (General Business), has filed a petition for a variance to increase the maximum 6 sq. ft. secondary permanent detached pre-sell sign area allowance and the maximum 4 ft. pre-sell height allowance to 8.24 sq. ft. and 6.75 ft. at the property located at 995 E. Ash St., Piqua, Ohio.

WHEREAS, the City of Piqua Code of Ordinances Chapter 154.101 (C) (2) establishes that:

154.101 PERMANENT; DETACHED SIGNS.

(C) Height, area, and setback regulations.

(2) General requirements for primary secondary permanent detached signs.

<table>
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<tr>
<th>Sign Type</th>
<th>Maximum Height</th>
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<th>Minimum Setback from Front Lot Line</th>
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<td>4 feet</td>
<td>6 sq. feet</td>
<td>N/A</td>
<td>2 feet</td>
<td>5 feet</td>
</tr>
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WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.
RESOLUTION No. BZA 9-15

NOW THEREFORE BE IT RESOLVED that ______________ motioned to approve/deny the request for a variance to increase the maximum 6 sq. ft. pre-sell sign area allowance and the maximum 4 ft. pre-sell sign height allowance to 8.24 sq. ft. and 6.75 ft. at the property located at 995 E. Ash St., Piqua, Ohio. The motion was seconded by _______ and the request was approved/denied with a vote of _______ as recorded below.

<table>
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<tr>
<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
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<tr>
<td>Mr. Mark Spoltman</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Mr. Skip Murray</td>
<td></td>
<td></td>
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City of Piqua
Planning and Zoning Department
201 W Water St.
Piqua, OH 45356

November 20th, 2015

RE: McDonald’s Side by Side Drive-Thru Project
995 E. Ash Street
Piqua, OH 45356

Dear Planning and Development:

This letter is in regards to the proposed McDonald’s Drive-Thru Project located at 995 E. Ash Street on behalf of McDonald’s Corporation.

PROJECT SUMMARY
The project scope includes rebuilding the existing McDonald’s Restaurant to update kitchen and dining space and bring a modernized concept to the City of Piqua. The site will be updated with parking stalls, landscaping, and a double drive-thru to assist with vehicle stacking and traffic flow. The exterior of the building will consist mainly of brick with tile arcades and metal canopies. The dining space will promote an inviting, comfortable atmosphere for customers and will include a family zone with interactive table top play areas for children. There will also be an exterior patio provided for outdoor seating. Per Section 154.025(D)(3)(g) of the Piqua zoning code, fast food restaurants are considered a special use and require Planning Commission approval. We are seeking approval of the McDonald’s rebuild project at the December 8th Planning Commission meeting.

VARIANCE REQUEST
The proposed site will include 46 parking stalls. Based on the parking calculation in the City of Piqua zoning code, 109 parking spaces are required for a drive-thru restaurant. Research and data was provided by McDonald’s corporation showing that 67% of customers use the drive-thru and this number is projected to increase by 4%-5% once the restaurant is rebuilt. McDonald’s has also been granted an easement from the neighboring shopping center allowing additional parking. The easement documentation is attached for reference. As seen in the attached site plan, the side-by-side drive-thru is designed to provide all drive-thru stacking on site and eliminate the vehicles from overflowing to the main road. Therefore, the zoning code requirement cannot be met and we are seeking a variance to allow for the amount of parking spaces on the proposed site plan.

Based on the City of Piqua signage requirements, a drive-thru menu board cannot exceed 32 square feet per sign face. McDonald’s standard menu boards are approximately 41 square feet. The menu board size has been determined by years of trial boards. The proposed sign size allows larger print to help customers easily read the items and pricing when ordering. The menu board is also setup to help the drive-thru process efficiently flow by allowing the customer behind the order point view the pictures on
the sign and be prepared to order when pulling up to the speaker. The Menu Board and Pre-Sell Board Placement Diagram at the end of this summary illustrates the location of the board in reference to the vehicles in line. Based on this information, we are seeking a variance to increase the area of the menu board by nine square feet.

McDonald's will also be proposing a Pre-Sell sign along each drive-thru lane. The Pre-sell signs will be placed 30 feet from the menu boards. This sign is designed to inform the customers of new menu items that are only available for limited time. By adding this sign, the customer is presented with these new items in advance and can decide if it is something they want to try before getting to the order point. The size of this sign allows the customer to adequately view the new menu items and read the pricing without difficulty. The Piqua sign code allows for a secondary permanent detached sign per drive-thru lane that shall not exceed 6 square feet in area and 4 feet in height. The proposed Pre-Sell sign is approximately 8.24 square feet in area and 6.75 feet in height. Therefore, we are seeking a variance to all the increase in height and square footage of the pre-sell sign.

As part of the modernization to the McDonald's restaurants around the world, the trademark logo arch has followed the brand. With the new exterior design, the logo has been placed on the façade to give dimension and design in areas of the building that appear blank. Although the logo arch is manufactured as a sign, it is placed on the building as a design element. Within this area, the appropriate size of the logo arch was determined to be 14 SF (boxed) and 4.9 SF (actual). On the front façade of the proposed building, the logo arch is considered a secondary sign and cannot exceed 6 square feet. We are seeking a variance to allow the logo arch as a secondary sign with the square footage as previously stated.

Thank you for the opportunity to submit the supporting information in regards to the McDonald's Project. Please do not hesitate to contact us with any questions or for additional information. We look forward to working with the City of Piqua on what we believe will be a successful project for the community.

Thank You,

Lynsey Jordan
Permit Solutions, Inc.
(330) 524-3113
londecker@permitsolutionsohio.com
BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

- PLEASE TYPE OR PRINT -

APPLICANT NAME: Lynsey Jordan agent of McDonald's
APPLICANT ADDRESS: P.O. Box 307774
CITY: Columbus
STATE: OH
ZIP: 43230
PHONE: (330) 524-3113

LEGAL INTEREST OF APPLICANT: Agent of the owner

OWNER NAME: McDonald's Corporation
BUSINESS NAME: McDonald's
OWNER ADDRESS: 2 Easton Oval
CITY: Columbus
STATE: OH
ZIP: 43219
PHONE: (614) 418-3300

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS: 995 E Ash St
CITY: Piqua
STATE: Ohio
ZIP: 45356
LOT NUMBER: 7687 & 7686
ZONING DESIGNATION: B- General Business

TYPE OF VARIANCE BEING REQUESTED - (CIRCLE ONE) ZONING OR SIGN
- CHECK ALL BOXES THAT APPLY -

☐ ZONING ENFORCEMENT APPEAL
☐ SPECIAL DRIVESTYLE
☐ HEIGHT VARIANCE
☐ SETBACK VARIANCE
☐ AREA VARIANCE
☐ PARKING VARIANCE
☐ ZONING MAP BOUNDARY LINE
☐ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST: See attached project summary

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER: [Signature] DATE: 11/19/15

SIGNATURE OF APPLICANT: [Signature] DATE: 11/19/15

NOTE - BOTH OWNER AND APPLICANT MUST SIGN

$25.00 FEE PAID - RECEIVED BY -

RECEIPT No.: - DATE: -

****************************************** OFFICE USE ONLY ******************************************
OPO Pre-Sell Board

Illumination: LED

Electrical:
- First Circuit: 120/1/60, 15 amp
- Second Circuit: 120/1/60, 15 amp

Ship Weight: 243 lbs.

Other:
- Please call IMS for graphics, 800-937-7671
- Triangular design for increased graphic options
- Available in an manual or automated version. Automated version must be ordered directly from Florida Plastics.
Miami County, Ohio - Property Record Card
Parcel: N44-076534
Card: 1

GENERAL PARCEL INFORMATION
Owner: MIDAMCO
Property Address: 995 E ASH ST
Mailing Address: 218 WASH STREET
PIQUA OH 45356-2250
Land Use: 435 - DRIVE-IN RESTAURANT OR FOOD SER
Legal Acreage: 1.912
Legal Description: IN LOT 7687 IN LOT 7686 E PT
MCDONALDS

NOTES
CARD 001 | SMDA#: N44-9E152 -029-00

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AGRICULTURAL

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<th>Land Type</th>
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SALES

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COMMERCIAL

<table>
<thead>
<tr>
<th>Description</th>
<th>Fast Food Restaurant</th>
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<tbody>
<tr>
<td>Year Built</td>
<td>1993</td>
</tr>
<tr>
<td>Year Remodeled</td>
<td>0</td>
</tr>
<tr>
<td>Unit Count</td>
<td>0</td>
</tr>
<tr>
<td>Section Number</td>
<td>1</td>
</tr>
<tr>
<td>Section Area</td>
<td>4556</td>
</tr>
<tr>
<td>Wall Height</td>
<td>12</td>
</tr>
<tr>
<td>Section Story Count</td>
<td>1</td>
</tr>
</tbody>
</table>
BA3  Basement Extension
BL1  Balcony
BZ1  Breezeway-Open
BZ2  Breezeway-Closed
CP1  Carport
CY1  Canopy-Frame Metal
CY2  Canopy-Metal
CY3  Canopy Over Patio
CY4  Canopy Over Stoop
CY5  RFX
CY6  RFX/Patio
CY7  RFX/MS
GH1  Greenhouse
GR1  Garage-Frame/Equal
GR2  Garage-Brick
GR3  Garage-Stone
GR4  Garage-Basement
GR5  Garage-Integral
GR6  Shop
GZ1  Gazebo
PR1  Porch-Open-Frame/Equal

PR2  Porch-Enclosed-Frame/Equal
PR3  Porch-Open-Masonry
PR4  Porch-Enclosed-Masonry
PR5  Portico
PR6  Open Screen Porch
PR7  Patio
PR8  Patio-Brick
PR9  Patio-Stone
PR10  Redwood Patio
PR11  Shed-Frame/Equal
PR12  Shed-Masonry
PR13  Indoor Pool
PR14  Stoop Masonry
PR15  Wood Deck
PR16  Outbuilding 1
PR17  Outbuilding 2
PR18  Outbuilding 3
PR19  Outbuilding 4
PR20  Outbuilding 5

Scale: 5ft
A  1 s CB/Slab
   4218 sqft
B  CY1
   3 sqft
C  1 s CB/Slab
   338 sqft
D  PT1
   3 sqft
RESOLUTION No. BZA 10-15

WHEREAS, Lynsey Jordon, on behalf of McDonald’s Corporation, owner of the McDonald’s located at 955 E. Ash St. in the City of Piqua, Ohio, being in a district zoned B (General Business), has filed a petition for a variance to increase the maximum 6 sq. ft. secondary wall sign area allowance at the property located at 995 E. Ash St., Piqua, Ohio.

WHEREAS, the City of Piqua Code of Ordinances Chapter 154.102 (C) (2) establishes that:

154.102 PERMANENT; ATTACHED SIGNS.

(C) Height, area, and setback regulations.

(2) General requirements for secondary permanent attached signs.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Maximum Height</th>
<th>Minimum Height</th>
<th>Maximum Sign Area</th>
<th>Maximum Projection from Structure Face into Required Minimum Setback Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awning sign; canopy</td>
<td>20 feet</td>
<td>8 feet</td>
<td>1 sq. foot per lineal foot of the width of the</td>
<td>6 feet</td>
</tr>
<tr>
<td>(attached) sign</td>
<td></td>
<td></td>
<td>awning face to which the sign will be attached, not</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>to exceed 6 sq. feet</td>
<td></td>
</tr>
<tr>
<td>Projecting sign</td>
<td>20 feet</td>
<td>8 feet</td>
<td>1 sq. foot per lineal foot of the width of the</td>
<td>4 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>structure face to which the sign will be attached,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>not to exceed 6 sq. feet</td>
<td></td>
</tr>
<tr>
<td>Wall or fascia sign</td>
<td>10 feet</td>
<td>0 feet</td>
<td>1 sq. foot per lineal foot of the structure face to</td>
<td>0 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>which the sign will be attached, not to exceed 6 sq.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>feet</td>
<td></td>
</tr>
<tr>
<td>Under canopy sign or</td>
<td>10 feet</td>
<td>7 feet</td>
<td>2 sq. feet</td>
<td>6 feet</td>
</tr>
<tr>
<td>marquee sign</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Window sign</td>
<td>First floor</td>
<td>0 feet</td>
<td>50% of the window surface, not to exceed 6 sq. feet</td>
<td>0 feet</td>
</tr>
<tr>
<td>windows only</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION No. BZA 10-15

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that _____________ motioned to approve/deny the request for a variance to increase the maximum 6 sq. ft. sign height allowance to 14 sf. at the property located at 995 E. Ash St., Piqua, Ohic. The motion was seconded by ___________ and the request was approved/denied with a vote of ______ as recorded below.

Mr. Mark Spoltman
Mr. Skip Murray
Mr. Dustin Davis
Mr. Earl Slater
Mr. David Fishback

AYE  NAY  ABSTAIN  ABSENT
City of Piqua  
Planning and Zoning Department  
201 W Water St.  
Piqua, OH 45356  

November 20th, 2015

RE: McDonald’s Side by Side Drive-Thru Project  
995 E. Ash Street  
Piqua, OH 45356

Dear Planning and Development:

This letter is in regards to the proposed McDonald’s Drive-Thru Project located at 995 E. Ash Street on behalf of McDonald’s Corporation.

PROJECT SUMMARY
The project scope includes rebuilding the existing McDonald’s Restaurant to update kitchen and dining space and bring a modernized concept to the City of Piqua. The site will be updated with parking stalls, landscaping, and a drive-thru to assist with vehicle stacking and traffic flow. The exterior of the building will consist mainly of brick with tile arcades and metal canopies. The dining space will promote an inviting, comfortable atmosphere for customers and will include a family zone with interactive table play areas for children. There will also be an exterior patio provided for outdoor seating. Per Section 154.025(D)(3)(g) of the Piqua zoning code, fast food restaurants are considered a special use and require Planning Commission approval. We are seeking approval of the McDonald’s rebuild project at the December 8th Planning Commission meeting.

VARIANCE REQUEST
The proposed site will include 46 parking stalls. Based on the parking calculation in the City of Piqua zoning code, 109 parking spaces are required for a drive-thru restaurant. Research and data was provided by McDonald’s corporation showing that 67% of customers use the drive-thru and this number is projected to increase by 4%-5% once the restaurant is rebuilt. McDonald’s has also been granted an easement from the neighboring shopping center allowing additional parking. The easement documentation is attached for reference. As seen in the attached site plan, the side-by-side drive-thru is designed to provide all drive-thru stacking on site and eliminate the vehicles from overflowing to the main road. Therefore, the zoning code requirement cannot be met and we are seeking a variance to allow for the amount of parking spaces on the proposed site plan.

Based on the City of Piqua signage requirements, a drive-thru menu board cannot exceed 32 square feet per sign face. McDonald’s standard menu boards are approximately 41 square feet. The menu board size has been determined by years of trial boards. The proposed sign size allows larger print to help customers easily read the items and pricing when ordering. The menu board is also setup to help the drive-thru process efficiently flow by allowing the customer behind the order point view the pictures on
the sign and be prepared to order when pulling up to the speaker. The Menu Board and Pre-Sell Board Placement Diagram at the end of this summary illustrates the location of the board in reference to the vehicles in line. Based on this information, we are seeking a variance to increase the area of the menu board by nine square feet.

McDonald’s will also be proposing a Pre-Sell sign along each drive-thru lane. The Pre-sell signs will be placed 30 feet from the menu boards. This sign is designed to inform the customers of new menu items that are only available for limited time. By adding this sign, the customer is presented with these new items in advance and can decide if it is something they want to try before getting to the order point. The size of this sign allows the customer to adequately view the new menu items and read the pricing without difficulty. The Piqua sign code allows for a secondary permanent detached sign per drive-thru lane that shall not exceed 6 square feet in area and 4 feet in height. The proposed Pre-Sell sign is approximately 8.24 square feet in area and 6.75 feet in height. Therefore, we are seeking a variance to all the increase in height and square footage of the pre-sell sign.

As part of the modernization to the McDonald’s restaurants around the world, the trademark logo arch has followed the brand. With the new exterior design, the logo has been placed on the façade to give dimension and design in areas of the building that appear blank. Although the logo arch is manufactured as a sign, it is placed on the building as a design element. Within this area, the appropriate size of the logo arch was determined to be 14 SF (boxed) and 4.9 SF (actual). On the front façade of the proposed building, the logo arch is considered a secondary sign and cannot exceed 6 square feet. We are seeking a variance to allow the logo arch as a secondary sign with the square footage as previously stated.

Thank you for the opportunity to submit the supporting information in regards to the McDonald’s Project. Please do not hesitate to contact us with any questions or for additional information. We look forward to working with the City of Piqua on what we believe will be a successful project for the community.

Thank You,

Lynsey Jordan
Permit Solutions, Inc.
(330) 524-3113
londecker@permitsolutionsohio.com
BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

--PLEASE TYPE OR PRINT--

APPLICANT NAME Lynsey Jordan, agent of McDonald's

APPLICANT ADDRESS P.O. Box 307774

CITY Columbus STATE OH ZIP 43230

PHONE (330) 524 - 3113

LEGAL INTEREST OF APPLICANT Agent of the owner

OWNER NAME McDonald's Corporation

BUSINESS NAME McDonald's

OWNER ADDRESS 2 Easton Oval

CITY Columbus STATE OH ZIP 43219

PHONE (614) 418 - 3300

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED

STREET ADDRESS 995 E Ash St

CITY Piqua STATE Ohio ZIP 45356

LOT NUMBER 7687 & 7686 ZONING DESIGNATION B - General Business

TYPE OF VARIANCE BEING REQUESTED (CIRCLE ONE) ZONING - OR - SIGN

-CHECK ALL BOXES THAT APPLY-

☐ ZONING ENFORCEMENT APPEAL ☐ AREA VARIANCE
☐ SPECIAL DRIVEWAY ☐ PARKING VARIANCE
☐ HEIGHT VARIANCE ☐ ZONING MAP BOUNDARY LINE
☐ SETBACK VARIANCE ☐ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST See attached project summary

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER ___________________________ DATE 11/19/15

SIGNATURE OF APPLICANT ___________________________ DATE 11/19/15

NOTE - BOTH OWNER AND APPLICANT MUST SIGN IN INK REQUIRED TO PROCESS REQUEST

******************************************************************************OFFICE USE ONLY******************************************************************************

$25.00 FEE PAID - ______________ RECEIVED BY - ______________

RECEIPT No. - ______________ DATE - ______________
Menu Board and Pre-Sell Board Diagram
**Construction Option 2 - Aluminum Back with Polycarbonate Insert**

**FRAME & LAMP DETAIL**
SCALE: 3/4" = 1'-0"

- YELLOW PIGMENTED MODIFIED MOLDED ACRYLIC FACE/LETTER BODY
- POLYCARBONATE INSERT PAINTED WHITE
- LED POWER SUPPLY AS REQUIRED
- WHITE LED'S AS REQUIRED

**CROSS SECTION A-A**
SCALE: 3/4" = 1'-0"

- RETURNS PAINTED TO MATCH PMS 877 C SILVER (OPAQUE)
- ELECTRICAL OUT PROVISION: THRU BACC, NEAR POWER SUPPLY
- FLEXIBLE CONDUIT
- WHITE LED'S AS REQUIRED
- ALUMINUM BACK
- MOUNTING HARDWARE AS REQUIRED
- POLYCARBONATE INSERT PAINTED WHITE
- COUNTERSUNK FASTENERS
- DRAIN HOLES

---

**FRAME DETAIL**
DESIGN FACTOR: TBD
FORMED YELLOW PIGMENTED (PMS 123 C)
MODIFIED ACRYLIC FACE/LETTER BODY
EXTERIOR FINISH: PAINTED TO MATCH PMS 877 C SILVER (OPAQUE)
INTERIOR FINISH: PAINTED STARBRIGHT WHITE (OPAQUE)
POLYCARBONATE INSERT PAINTED STARBRIGHT WHITE
ALUMINUM BACK
LETTER BODY REMOVABLE FOR SERVICE ACCESS
U.L. APPROVED
ELECTRICAL: 0.85 AMPS, 120 VOLTS
SQUARE FOOTAGE:
BOXED = 14.00
ACTUAL = 4.90

---

**Customer:** McDONALD'S
**Date:** 04/15/13
**Prepared By:** RA
**Item Number:** MCD-42WALLARCHNG-5
**File Name:** McD 42" Wall Arch (Next Gen)
**Revision:** 1
Miami County, Ohio - Property Record Card
Parcel: N44-076534
Card: 1

**GENERAL PARCEL INFORMATION**

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<tr>
<th>Owner</th>
<th>MIDAMCO</th>
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<tbody>
<tr>
<td>Property Address</td>
<td>955 E ASH ST</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>218 WASH STREET Piqua OH 45358-2250</td>
</tr>
<tr>
<td>Land Use</td>
<td>G35 - DRIVE-IN RESTAURANT OR FOOD SER</td>
</tr>
<tr>
<td>Legal Acreage</td>
<td>1.212</td>
</tr>
<tr>
<td>Legal Description</td>
<td>IN LOT 7687 IN LOT 7686 E PT MCDONALDS</td>
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**VALUATION**

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<td>Improvements Value</td>
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<td>Taxable Value</td>
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**RESIDENTIAL**

**LAND**

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**ADDITIONS**

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<td>G351 - Canopy Frame</td>
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<td>G352 - Basic Structure Cost</td>
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<td>PT1 - Patio Concrete</td>
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**IMPROVEMENTS**

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<td>Paving Asphalt</td>
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**AGRICULTURAL**

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**SALES**

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<th>Seller</th>
<th>Price</th>
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<td>MIDAMCO</td>
<td>Unknown</td>
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**COMMERCIAL**

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<td>Code</td>
<td>Description</td>
</tr>
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<td>------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>A</td>
<td>1 s CB/Slab</td>
</tr>
<tr>
<td>B</td>
<td>CY1</td>
</tr>
<tr>
<td>C</td>
<td>1 s CB/Slab</td>
</tr>
<tr>
<td>D</td>
<td>PT1</td>
</tr>
</tbody>
</table>

**Legend:**
- BA3: Basement Extension
- BL1: Balcony
- BZ1: Breezeway-Open
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- CP1: Carport
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- GR3: Garage-Stone
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- GR6: Shu
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- PR2: Porch-Enclosed-Frame/Equal
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- PR4: Porch-Enclosed-Masonry
- PR5: Portico
- PR6: Open Screen Porch
- PT1: Patio
- PT2: Patio-Brick
- PT3: Patio-Stone
- PT4: Redwood Patio
- S1: Shed-Frame/Equal
- SP1: Shed-Masonry
- ST1: Indoor Pool
- WD1: Stoop Masonry
- O1: Wood Deck
- O2: Outbuilding 1
- O3: Outbuilding 2
- O4: Outbuilding 3
- O5: Outbuilding 4
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<th>NAME</th>
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<th>CITY STATE ZIP</th>
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<tr>
<td></td>
<td>MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLETIN BOARD</td>
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<tr>
<td>BZA 7-15, 8-15, 9-15</td>
<td>McDonald's Corporation</td>
<td>2 Easton Oval Suite 200</td>
<td>Columbus, Ohio 43219</td>
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<tr>
<td>&amp; BZA 10-16</td>
<td>Permit Solutions, Inc, I Lynsey Jordan</td>
<td>P. O. Box 307774</td>
<td>Columbus, Ohio 43230</td>
</tr>
<tr>
<td></td>
<td>MIDAMCO</td>
<td>3333 Richmond Rd. Suite 350</td>
<td>Beachwood, Ohio 44122</td>
</tr>
<tr>
<td></td>
<td>MIDAMCO</td>
<td>987 E. Ash Street</td>
<td>Piqua, Ohio 45356</td>
</tr>
<tr>
<td></td>
<td>BEF</td>
<td>8111 Smith's Mill Rd.</td>
<td>New Albany, Ohio 43054</td>
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<td>Piqua, Ohio 45356</td>
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<tr>
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<td>MIDAMCO</td>
<td>991 E. Ash Street</td>
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<thead>
<tr>
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<th>EMAIL</th>
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<tbody>
<tr>
<td>DEAN BURCH</td>
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</tr>
<tr>
<td>DEBBIE STEIN</td>
<td>EMAIL</td>
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<tr>
<td>GARY HUFF</td>
<td>EMAIL</td>
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<tr>
<td>JUSTIN SOMMER</td>
<td>EMAIL</td>
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<tr>
<td>LORNA SWISHER</td>
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<tr>
<td>MARTIN KIM</td>
<td>EMAIL</td>
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<tr>
<td>STACY WALL</td>
<td>EMAIL</td>
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<tr>
<td>AMY HAVENAR</td>
<td>EMAIL</td>
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<tr>
<td>BRUCE JANISON</td>
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<tr>
<td>PIQUA DAILY CALL</td>
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<td>DAYTON DAILY NEWS</td>
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<td>WPTW</td>
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<tr>
<td>PIQUA CHANNEL 5</td>
<td>EMAIL</td>
</tr>
<tr>
<td>MIAMI COUNTY HOME BUILDERS ASSOCIAT</td>
<td>EMAIL</td>
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</tbody>
</table>
December 11, 2015

*** MEETING NOTICE ***

Please be advised that the City of Piqua Board of Zoning Appeals will conduct a meeting at the time and location stated below.

TIME: 6:00PM
DATE: Tuesday, December 22, 2015
LOCATION: Commission Chambers – 2nd Floor
Municipal Government Complex
201 W. Water Street

This letter serves to notify those persons who may have an interest in an agenda item to be discussed at this meeting. View the Board of Zoning Appeals packet in its entirety online at http://www.piquaoh.org/agendazoningbd.htm or by visiting the Development Office.

This is your opportunity to speak in favor of, or object to, an item to be considered. If you desire to state your opinion concerning this matter and will be unable to attend the meeting, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

Please contact this office if you have any questions pertaining to this notice.

[Signature]
Christopher W. Schmiesing
City Planner
Enc.