



AGENDA

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, NOVEMBER 19, 2020 6:30 PM

**PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068**

A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES
 1. Board of Zoning and Building Appeals – Regular Meeting – September 17, 2020
3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

D. NEW BUSINESS

1. Application #2020-5483; 1397 Terry Drive; Applicant Jerry Sargent; Residential Variance
2. Application #2020-5493; 1840 Brice Road; Applicant David Wessinger; Non-Residential Variance
3. Application #2020-5492; 750 Rosehill Road; Applicant Rose Hill Ohio, LLC; Conditional Use

E. OTHER BUSINESS

F. ADJOURNMENT

Reynoldsburg

OHIO • 1839

MINUTES

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, SEPTEMBER 17, 2020 6:00 PM

PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068

A. CALL TO ORDER

PRESENT: Rettke, Furst, Barnhart
ABSENT: Linder, Bulls

2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Special Meeting – September 3, 2020

Minutes Stand Approved

3. APPROVAL OF AGENDA

Agenda Stands Approved

4. SWEARING IN OF SPEAKERS

Speakers for the evening sworn in by Mr. Rettke

B. PUBLIC COMMENT

None

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. Application #2020-5390; 6899 East Main Street; Applicant Lynnsay Hickman DDS; Non-Residential Zoning Variance

Mr. Rettke: Can we please have a presentation of application 2020-5390 East Main Street.

Ms. Wheeler: Thank you, Mr. Chair. This first application, the applicant is Lindsay Hickman. Applicant is requesting BZBA approval for several nonresidential zoning variances to construct a new approximately 40,700 square foot office for Hickman Orthodontics. The previous structure was damaged beyond 75 percent of its value and therefore is no longer considered a legal nonconforming structure. Therefore, variances must be obtained for the reconstruction of the building in its current form. The variance is being requested are for a front yard setback, side yard setback height as well as the parking location. This is located within the East Main Street district. So the front yard setback requirement is 5 to 20 feet. The proposed structure will have a front yard setback of approximately 38 feet from the public right of way.

Minutes Acceptance: Minutes of Sep 17, 2020 6:00 PM (APPROVAL OF MINUTES)

The side yard setback requirement is 5 to 10 feet. The proposal will have an east side yard setback of approximately 55 feet. The height requirement is 35 to 75 feet. The structure will have a height of 15 feet. Then lastly, the proposed development will have front surface parking where the requirement is for rear or side yard parking and or structured parking. I do have the proposed site plan up, and then as well, I will put up some of the proposed renderings. With that, if the applicant would like to add anything or ask any questions, please feel free.

Mr. Rettke: Would the applicant please come forward and state your name and address for the record?

Mrs. Hickman Hi, my name is Lindsay Hickman. My home address is 363 South Drexel. I am the orthodontist and owner of Hickman Orthodontics here asking for a variance for my new building. 6899 East Main. This variance is really critical to this building project for a couple of reasons. First of all, from a financial standpoint, a little bit of our history, this relocation project came as a surprise. It was unplanned, unexpected. As you know, my current location at Brice Road has recently been purchased by the library with the intention of demolishing that building as part of a larger project. So this news came about last November and we started looking for a new location here in Reynoldsburg. I am the primary orthodontist here in Reynoldsburg. So it was important to me to find a great location here in the community that I serve. We found the building at 6899. It was an aging building that we had planned to renovate and turn into a really nice orthodontic office. Then through some unexpected events, as you heard, the building had some failure with a roof structure and ended up having to come down, the whole building. So moving onward and upward, we found an architect and started working on external plans, which I'm really excited about, I think is going to be a beautiful building that will really add a lot to some of the other developments that are happening on Main Street. The only thing we really have, you know, the only saving grace in all of this is that we do have a sound foundation that we can build upon. So if we had to move the foundation, the financial implications of that would be really devastating to this project. Another consideration is the timing of the project. My building has officially been acquired by the library and they have made it clear that me being in the building is a liability to them and that I need to move out of that building as soon as possible so that they can tear it down and proceed with their project. So the timing of having to move the foundation closer to the street would really set the project back. We're hoping we've got all of the plans in place and are hoping to start the building process really soon. But that would, of course, be difficult if we had to move the foundation. Do you guys have any questions for me?

Mr. Rettke: Are there any witnesses or anybody presenting testimony in support or opposition of the application? Seeing none, does the board have any questions or concerns?

Mr. Furst: Mr. Chairman, I just have a couple of comments. I think is a very attractive building. Frankly, I think it's a far more attractive building than what you

would have gotten at the previous structure. So while in a perfect world, I would, of course, love to see something with, you know, zero set back there up at the front, you know, I think this is a great addition to Main Street. So thank you all for bringing this forward.

Mrs. Hickman Thank you so much.

Mr. Bowsher Dr. Hickman, if you could, you talked about, some of the financial implications and for a variance that doesn't necessarily qualify, would you talk about a little bit more about the timeline of what it would take if you were to bring this closer to the building and talk about how many patients that could potentially jeopardize by the extra time that it may take to build that building?

Mrs. Hickman Sure, I will say that, if I were to you know, being without a place to practice is certainly not a great option for me. I mentioned that I'm the primary orthodontic provider here in Reynoldsburg. I serve hundreds of families here in Reynoldsburg. The standard of care in my profession is routine monitoring of those patients. So if I were forced to have to move out of my current location and my new location wasn't ready, that would result in a shutdown, neglect of my patients and certainly hundreds of families here in this community that would be impacted by that. Those monthly appointments and monitoring are important for, not only results, but just overall oral health. It's very risky to be in braces and have your teeth actively moving and not be under the care of an orthodontist. So I would certainly worry about the impact on my patients if this project were to be delayed. As far as the specific time and how much more time it would cost. Can you speak to that?

Mr. Sohner: Good evening. I'm here with Lindsay, I'm Brian Sohner with Team DDS. We are a design build general contractor that specializes in medical and dental office construction. The specifics of starting from scratch, so to speak, moving the foundation potentially could add six to nine months of build time to this project. Not only would the foundation need to be moved, but the site would have to be redeveloped for utility storm water and things like that. So it would be a fairly major undertaking to redevelop the site to hit the existing code.

Mr. Rettke: Any other questions, concerns, comments? We're considering three variances or three separate issues here, right? The front set back and the side set back along with the building height?

Mr. Bowsher Correct.

Ms. Wheeler: Excuse me, there's a fourth, which would also be the location of the front parking.

Mr. Rettke: Mr. Shook, do you have a question?

Mr. Shook: Yeah, I just want to real quick put a little bit more on the record about the front parking issue. If, for example, the board were to grant your variance for a front set back, what other use would you have for the front of that property besides parking?

Mr. Sohner: Just parking, I think. Yeah. The site does call for a small pedestrian patio by the entry door that I would consider to be on the front elevation of the building.

Mr. Shook: So would you consider the front set back variance in the parking variance to be inextricably intertwined, connected?

Mr. Sohner: Yes, it would.

Mr. Shook: Thank you.

Mr. Rettke: Any other questions, concerns, comments?

Ms. Barnhart: Chairman, I just wanted to confirm that the reason that we're seeing this is because the other building had to be torn down. I mean, nothing would have come to us as part of their initial plan. This is all just because the building sort of fell apart.

Mr. Bowsher: Correct. Their initial goal was to renovate the existing building, as it was, it was the old Gene Johnson Realty building. They were renovating the inside. They were doing some cosmetic to the outside and sprucing up the landscaping. But that would not have come to this board, nor would it have come to planning commission in that capacity. Maybe their signage, depending on how they changed it, but it would not be in this capacity. You're correct.

Ms. Barnhart: OK. Thank you.

Mr. Rettke: The front yard setback. We're going from five to 20 feet and the existing slabs at 38 feet, correct? The side yard setback, they meet it on the west side, correct?

Ms. Wheeler: Correct.

Mr. Rettke: So were only considering the east side?

Ms. Wheeler: Correct.

Mr. Rettke: So no matter what would be built there would almost have to; it would have to go, you know, property line to property line. So we're going to have to issue variances on that anyway, regardless. What's the code say about the actual

parking? How does that read? I thought you were allowed side parking. Side and rear, but we're only talking about this handful of spaces on the front. Correct?

Mr. Bowsher Correct. Those eight spaces, I think in the front. Which is existing now.

Mr. Rettke: Yeah and you're not touching that, right? You're just going to dress it up a little bit?

Mr. Sohner: That's correct.

Mr. Rettke: If they didn't have that, would they still meet the minimum on parking?

Ms. Wheeler: Yes, they have enough spaces is that's what you're asking.

Mr. Rettke: Yes. Then as far as can staff discuss building heights? What the goal was with the current zoning as opposed to the 15 foot they are requesting?

Mr. Bowsher So the idea of the Main Street district and the Brice and Main district is to have a more walkable, pedestrian oriented to align itself with the 2050 MORPC initiative. It's also to align itself with our comprehensive plan to have more buildings that are typically a story and a half closer to the road holding that line. So even though this building doesn't meet the exact intent of that code, the modern amenities and the look of the building absolutely do. We feel that it ties in with the new look of a lot of other buildings that are being built on Main Street to include the new Kroger shopping center and some of their out parcel. So, yes, it doesn't meet the building height requirement, but in this case, I think it just adds further to the hardship to require that.

Mr. Rettke: Yeah because you'd have to double the building to achieve that, instead of one story you would have to go two. Any other questions, comments, discussion? Are there any additional exhibits or any information you want to expand upon?

Mr. Sohner: We have nothing else to present.

Mr. Furst: Mr. Chairman, if you would. I am particularly satisfied that this application meets the standards set in our zoning code, particularly, it seems clear that there is a proof of hardship here. I do not see how the use of this building would substantially change the character of the neighborhood. I think this is a within fitting with the purpose of the East Main District. So I do move that we accept this application as submitted.

Ms. Barnhart: I'll second.

Mr. Rettke: Moved and seconded. Is there any more discussion?

Mr. Shook: Can we just going back to the motion and see if we can rephrase the motion? Mr. Furst to reference section 1109.13 subsection D to indicate that you have considered the variance factor set forth in this section.

Mr. Furst: Certainly for the record, please allow me to clarify that we have considered the variance factors and set forth in Section 1108.13D and I am moving that we accept this application as submitted because it meets those factors as outlined in the code.

Ms. Barnhart: I'll second.

Mr. Rettke: Moved and seconded. Any other discussion? Does that satisfied attorney Shook? Can we please have the vote?

Ms. Wheeler: Ms. Barnhart. Yes. Mr. Furst. Yes. Mr. Rettke. Yes.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Rettke, Furst, Barnhart
ABSENT:	Linder, Bulls

E. OTHER BUSINESS

None

F. ADJOURNMENT

Chairman

Planning and Zoning Administrator



Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: 2020 5483

Date Submitted: NOV 02 2020

Fee Amount: 100.00

Section 1109
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☒ Paid: CK

I. PROPERTY INFORMATION		
Property Address: <u>1397 TERRY DR.</u>	Parcel ID#(s): <u>060-001971-00</u>	
II. PROPERTY OWNER OF RECORD		
Property Owner Name(s): <u>JERRY & BOBBI SARGENT</u>		
Contact Email: <u>sarsnoopy@yahoo.com</u>	Contact Phone Number: <u>614-507-6538</u>	
III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)		
Business Name:	Contact Name:	
Contact Phone Number:	Contact Email:	
Description of Use:		
IV. APPLICANT INFORMATION		
Applicant Name: <u>Jerry Sargent</u>	Applicant Address: <u>1397 Terry Dr</u>	
Applicant Phone Number: <u>614-425-9086</u>	Applicant Email: <u>sarsnoopy@yahoo.com</u>	
☒ Property Owner ☐ Business Owner/Tenant ☐ Contractor ☐ Architect/Engineer		
PROJECT INFORMATION		
CHECK AND DESCRIBE IF APPLICABLE:		
Variance (☐ Non-Residential (\$450) / ☒ Residential (\$100)): <u>Enclosing our garage.</u>		
☐ Conditional Use Permit (\$350):		
☐ Other:		
Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.		
Applicant Signature: <u>Jerry L Sargent</u>	Date: <u>11/2/2020</u>	
By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.		
OFFICE USE ONLY		
Additional Notes:	Zoning Information Zoning District: <u>SP</u> ☐ Historic District ☐ CC Overlay	BZBA Meeting Date: <u>11/19/2020</u> ☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Tabled ☐ Denied
	Add'l Approvals Req'd ☐ Planning Commission ☐ Other:	City Council Meeting Date: _____ ☐ No Action Taken ☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Denied
		P&Z Admin.: _____ Date: _____
		Clerk of Council: _____ Date: _____

To: The City of Reynoldsburg

RE: Variance Request – November 2, 2020

1397 Terry Dr. Parcel ID # 060-001971-00

We recently contacted the City of Reynoldsburg concerning enclosing our existing attached garage. We were advised that this was not allowed unless we were to build another garage to replace the existing one. We were instructed we would need to request a variance to be able to enclose the garage without building another one.

Here are the reasons we are requesting a variance to enclose our garage:

- 1) Since the pandemic, I have had to work from home. I have worked on my kitchen table since March 2020. My employer has advised we will not be returning to work in office until at least late in the 1st quarter of 2021. Even upon our return to work, we will only be able to work in the office on limited days per week. I was diagnosed and treated in September 2017 for Legionnaires Disease. This resulted in scarring to my lungs, which makes me more susceptible to contracting COVID. I was advised by my physician that even when others are allowed to return to work in the office, I may need to continue to work from home until a vaccine is available. Allowing us to enclose our garage will enable me to have a work space that I can use going forward.
- 2) We currently help my brother and step-brother care for our parents. My step-mother is 90 and bed-ridden. My father is 89 and suffers from dementia. He is a Korean War veteran. Currently, we care for them in their own home on the west side of Columbus. It may soon become necessary to care for them to be cared for in our home. Allowing us to enclose our garage would provide us with a place for them to live should we need to move them in to our home.

Since moving to Reynoldsburg, we have enlarged our driveway, making it possible for multiple cars to be parked on our lot without needing to park on the roadway. Allowing this variance will not affect our neighbors in any way, as we are simply enclosing the garage and turning it into a workspace and living space. Multiple houses in our housing development have enclosed their garages, some without adding a garage. I am asking the City of Reynoldsburg to allow us to do the same.

Thank you,

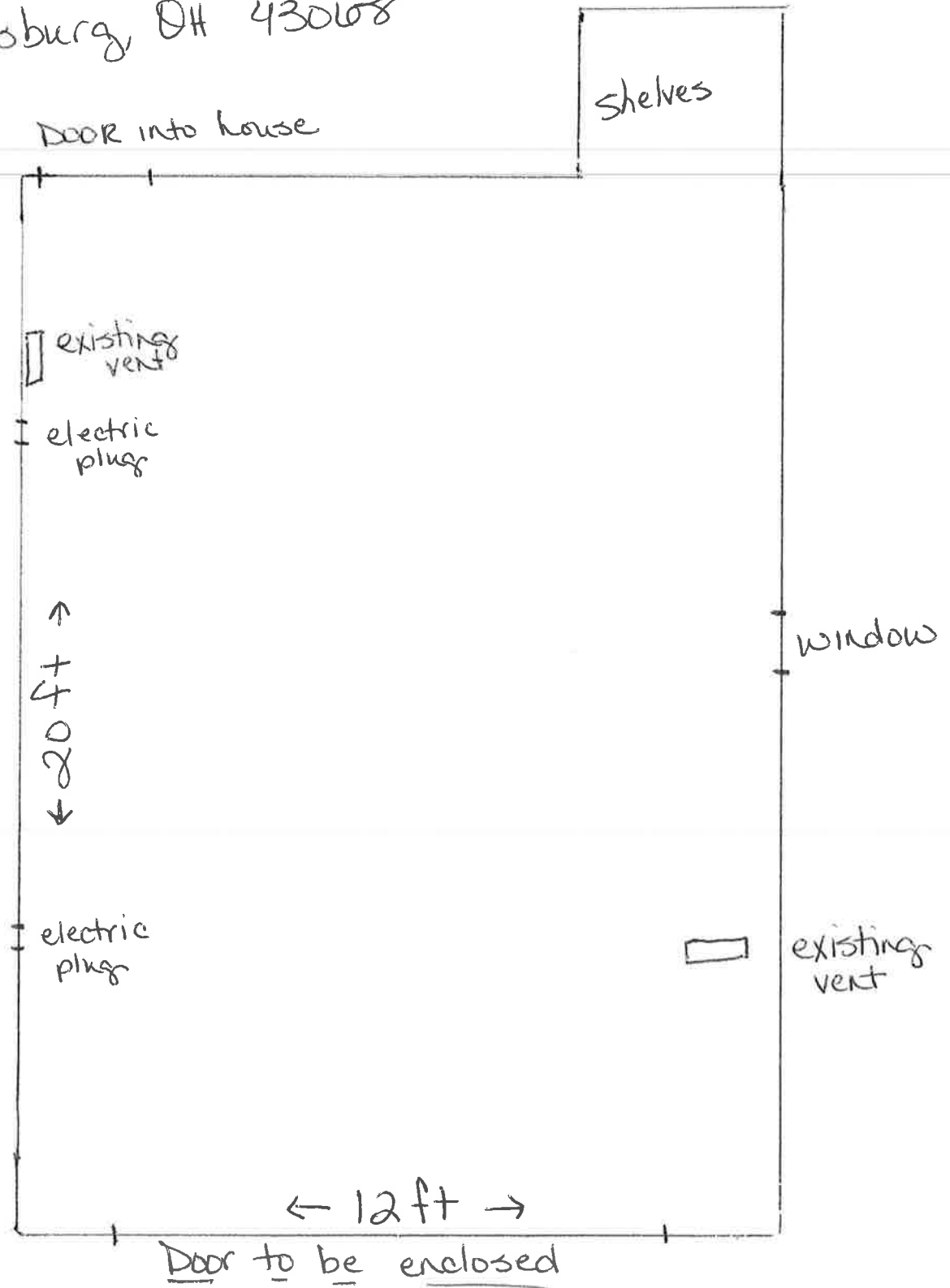


Jerry L. Sargent

Attachment: App #2020-5483 (App #2020-5483, 1397 Terry Drive, Jerry Sargent)

Parcel ID # 060-001971-00

Jerry L. Sargent
1397 Terry Dr.
Reynoldsburg, OH 43068



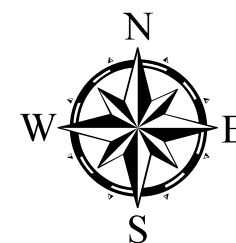


Printed Date: 11/9/2020

The City of Reynoldsburg Utility GIS

Map Title

1 inch = 47 feet



Jerry Sargent, 1397 Terry Dr. Reynoldsburg, OH 43068

Section 1109.13 Variances

D.

- i) Our request to enclose our garage shall not be injurious to the area or otherwise detrimental to the public welfare.
- ii) Enclosing our garage falls within the permitted use in the zone, district in which the property is situated.
- iii) Depriving us the opportunity to enclose our garage prevents us from utilizing the property to improve the quality of life for my family. As we have no interest in selling our home, loss of value is not the reason we have requested the variance.
- iv) Enclosing the garage is requested, due to the physical limitations I now have, as well as the possibility of having to care for my parents in the near future.
- v) Providing this variance will enable us to enclose our garage and is the minimum variance that will accomplish this purpose.
- vi) Enclosing our garage will not impair an adequate supply of light and air to adjacent property. It will not increase the congestion in the public streets, as we have enlarged our driveway to park multiple vehicles off the street. There would be no increase in the danger of fire, would not endanger the public safety, or substantially diminish or impair property values of the adjacent area.
- vii) Granting this variance will not confer on us any special privilege that is unduly denied by this Code to other land, structures, or buildings in the same district.
- viii) We are not requesting this variance because other people/properties in our district have enclosed their garages. We are requesting this variance due to our own specific situation.
- ix) We are not requesting this variance as a matter of convenience. There are no other remedies available within the provisions of this code.

Google Maps 1397 Terry Dr

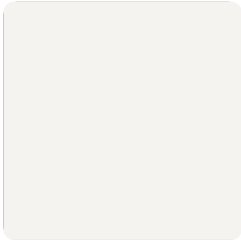


Image capture: Aug 2019 © 2020 Google

Reynoldsburg, Ohio



Street View



Attachment: 1397 Terry Dr - Google Maps (App #2020-5483, 1397 Terry Drive, Jerry Sargent)

November 10, 2020

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: 1397 Terry Drive – Residential Zoning Variance #2020-5483
Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located at 1397 Terry Drive and is within the Suburban Residential Zone (SR).
- b. The applicant, Jerry Sargent, is requesting Board of Zoning and Building Appeals approval for a residential zoning variance to convert an attached garage to living space.

2. Zoning Review (Section 1105.01)

- a. The zoning code requires 1 enclosed and 1 unenclosed off-street parking space for a detached single-family dwelling. Section 1105.01(D) stipulates that a residential garage shall not be converted to another use unless enclosed parking is provided for elsewhere on the site. The applicant does not wish to construct a detached garage, hence the need for a variance.

3. Variance Standards (Section 1109.13)

- a. The Board shall consider whether the proposed variance is consistent with the standards contained in Section 1109.13(D) of the Reynoldsburg zoning ordinance, as well as the variance factors set forth by the Ohio Supreme Court.
 1. The variance is in accord with the general purpose and intent of the regulations of the zoning code and the SR Zone. The variance will not be detrimental to the public welfare and there will be only minimal change to the exterior of the property.
 2. The variance will not permit the establishment of a new use.
 3. There exist special circumstances, but no special conditions specific to the land or structure other than the relatively small size of the lot and fact that the existing side yard setback (~3' to the North) is such that construction of a

detached garage to meet the zoning requirement would not be feasible. There is currently no deprivation of the beneficial use of the land.

4. There is proof of hardship or practical difficulty created by the strict application of the zoning code, as documented by the applicant.
5. The property can still be used as a single-family dwelling with or without granting the variance.
6. The variance will not substantially increase traffic congestion, endanger public safety, or impair neighboring property values.
7. The variance will not confer on the property owner any special privilege.
8. Neighboring properties are not a consideration in weighing the requested variance, though notably the Huber neighborhood does have a number of converted garages that at one time were permitted without the construction of a detached garage.
9. The variance is not a matter of convenience. Rather, there is a hardship established by the applicant and property owner.

If you have any questions or comments, please feel free to contact us.



CITY OF REYNOLDSBURG
Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: 2020-54-3
Date Submitted: 11/2/2020
Fee Amount: \$450.00

Section 1139
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☒ Paid: \$450.00

I. PROPERTY INFORMATION	
Property Address: 1840 Brice Rd.	Parcel ID#(s):
II. PROPERTY OWNER OF RECORD	
Property Owner Name(s): Jane Mattlin/Mattlin Holdings	
Contact Email: JaneMattlin@gmail.com	Contact Phone Number: 614-557-4781
III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)	
Business Name: The Job Center Staffing	Contact Name: David Wessinger
Contact Phone Number: 513-300-2337	Contact Email: dwessinger@thejobcenterstaffing.com
Description of Use: For use as a light industrial staffing office.	
IV. APPLICANT INFORMATION	
Applicant Name: David Wessinger	Applicant Address: 11935 Mason Montgomery Rd. #200, Cincy, 45249
Applicant Phone Number: 513-683-9675	Applicant Email: dwessinger@thejobcenterstaffing.com
☐ Property Owner ☒ Business Owner/Tenant ☐ Contractor ☐ Architect/Engineer	
PROJECT INFORMATION	
CHECK AND DESCRIBE IF APPLICABLE:	
Variance (☒ Non-Residential (\$450) / ☐ Residential (\$100)): <u>To operate as an office staffing for the light industrial sector.</u>	
<u>The previous tennent was an office for auto title loans.</u>	
☐ Special Exception Use Permit (\$350): _____ ☐ Other: _____	

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator. <

Applicant Signature: David Wessinger

Date: 10-29-20

*By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner. *

Additional Notes:	**OFFICE USE ONLY**	
	Zoning Information	
	Zoning District: <u>Innovation</u>	
	☐ Historic District ☐ CC Overlay	
	Add'l Approvals Req'd	
	☐ Planning Commission ☐ Other: _____	
	BZBA Meeting Date: <u>11/19/2020</u>	City Council Meeting Date: _____
	☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Tabled ☐ Denied	☐ No Action Taken ☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Denied
	P&Z Admin.: _____	Date: _____
	Clerk of Council: _____	Date: _____

Attachment: App #2020-5493 (App #2020-5493, 1840 Brice Road, David Wessinger)

Reynoldsburg BZA

Ms. Emily Wheeler

Ms. Melissa Butler

Mr. Andrew Bowsher

7232 E Main St.

Reynoldsburg, Ohio 43068

November 2, 2020

Response to questions re: section 1109.13 Variances, section D from property owner Mattlin Holdings LLC for location 1840 Brice Rd., Reynoldsburg, Ohio 43068 for variance request from The Job Center LLC:

- i. Intended office space for The Job Center LLC is not injurious to the area or detrimental to the public welfare.**
- ii. We are asking for a variance to again use this 1275 sq. ft. for office space. For the past 20 years our space was used as a satellite office for 3C Auto Body Shop (estimates only, no body repair done on site). Then our building was used as a branch office for Loan Max car loans ((paperwork and payments).**
- iii. Because of the small size of the freestanding building we are limited as to the type of business we can lease to. Due to a change in Ohio Law, Loan Max had to vacate in December of 2019. Our storeroom was vacant as of April, 2020 when Reynoldsburg upended our zoning and we were no longer grandfathered in for our previous office space usage.**
- iv. Our proof of hardship is the following: We have a very small free standing building. Our corner has diminished in size due to periodic land takes by the City Of Reynoldsburg for lane widening. The takes have reduced our number of parking spaces to 15. The majority of new permitted uses and conditional uses are not applicable to our property because they require a larger building and more acreage. Under your new zoning uses we can only put in a tattoo shop, a veterinarian or vehicle services or junk storage and sales. Reynoldsburg has told us they would prefer we not put in a tattoo shop or junk sales. Our interior**

space of 1175 sq. ft. is too small for veterinarian use or a child daycare center. We followed up with many vehicular sales, repair and care businesses. These were all Mom and Pop used car dealers that wanted to put older high mileage cars on our prominent corner selling for \$2,000 to \$3,000. Most thought there wasn't enough parking to create a viable used car sales business. After following up with over 100 potential tenants during the past pandemic riddled year we finally found a financially strong National tenant who will be an asset for Reynoldsburg. We feel that putting in a national job staffing company such as The Job Center LLC will be an upgrade to this important corridor. If you refuse this variance request we will be limited to a small independent used car lot or tattoo parlor

- v. We simply request a variance to continue to use this small corner building as it's been used for the last 20 years.
- vi. This variance will not impair an adequate supply of light and air to adjacent properties because we are not changing the height or use of the existing building. There will be no increased congestion of public streets because The Job Center LLC will only have between 10-20 people per day stopping by.
- vii. The variance will not confer on the property owner any special privilege.
- viii. No nonconforming use of neighboring land or structures is being used as grounds for approval of the variance.
- ix. The variance requested is to continue the same long standing usage of the property because the new zoning code uses are impractical for the size of our building and parking lot

Thank you for your consideration of our Variance request.

Mattlin Holdings LLC, Jane Mattlin, Member

Mattlin Holdings LLC, Jane Mattlin, Member
 MATTLIN HOLDINGS LLC
 241 S PARKVIEW AVE.
 COLUMBUS, OHIO 43209



November 10, 2020

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: 1840 Brice Road – Non-Residential Zoning Variance #2020-5493
Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located at 1840 Brice Road and is within the Innovation District.
- b. The applicant, David Wessinger, is requesting Board of Zoning and Building Appeals approval for a non-residential zoning variance to use the property as a staffing office (The Job Center LLC).

2. Zoning Review (Section 1103.23)

- a. 'Office-Professional Services' is not currently listed as a permitted or conditional use in the Innovation District, therefore a variance is required. The space was previously used as an office for auto title loans, however it was vacant at the time of adoption of the City's new zoning ordinance in April 2020 and is therefore not grandfathered in.
- b. The proposed use requires 1 parking space for each 250 sf of floor area, or approximately 5 parking spaces for a ~1,300 sf structure. 15 spaces are on the site.

3. Variance Standards (Section 1109.13)

- a. The Board shall consider whether the proposed variance is consistent with the standards contained in Section 1109.13(D) of the Reynoldsburg zoning ordinance, as well as the variance factors set forth by the Ohio Supreme Court.
 1. The variance is in accord with the general purpose and intent of the regulations of the zoning code. The Innovation Zone encourages a mix of industrial and office uses. Proposed zoning code text amendments will allow all office uses as a permitted use, if approved by Planning Commission and City Council. The variance will not be detrimental to the public welfare.
 2. 'Office-Professional Services' is not currently listed as a permitted or conditional use in the Innovation Zone.

Attachment: 1840 Brice Road - Staff Report (App #2020-5493, 1840 Brice Road, David Wessinger)

3. There exist special circumstances or conditions applicable to the structure for which the variance is sought, namely a deprivation of the beneficial use of land that existed to the same extent under the previous zoning ordinance. There are few permitted uses in Innovation that would be feasible given the size of the existing structure.
4. There is proof of hardship or practical difficulty created by the strict application of the zoning code, as documented by the applicant and property owner.
5. There are few permitted uses in Innovation that would be feasible given the size of the existing structure. The variance as requested is the minimum that will allow for the reasonable use of land.
6. The variance will not substantially increase traffic congestion, endanger public safety, or impair neighboring property values.
7. The variance will not confer on the property owner any special privilege.
8. Neighboring properties are not a consideration in weighing the requested variance, though the zoning of all surrounding properties was also changed to Innovation. The hardship is specific to the subject property.
9. The variance is not a matter of convenience. Rather, there is a clear hardship established by the applicant and property owner.

If you have any questions or comments, please feel free to contact us.

CITY OF REYNOLDSBURG
 Department of Development
 Planning & Zoning Division
 7232 East Main Street
 Reynoldsburg, Ohio

App./Case#: 2020-5402
 Date Submitted: 11/4/2020
 Fee Amount: \$350.00

Section 1109
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☒ Paid: \$350.00

I. PROPERTY INFORMATION	
Property Address: <u>Rose Hill Road</u>	Parcel ID#(s): <u>060-004557</u>
II. PROPERTY OWNER OF RECORD	
Property Owner Name(s): <u>Liana Goetz</u>	
Contact Email: <u>johns@sandyhilldev.com</u>	Contact Phone Number: <u>412-841-9657</u>
III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)	
Business Name:	Contact Name:
Contact Phone Number:	Contact Email:
Description of Use:	
IV. APPLICANT INFORMATION	
Applicant Name: <u>Rose Hill Ohio, LLC / John Spagnolo</u>	Applicant Address: <u>257 Grove City Road, Slippery Rock, PA 16057</u>
Applicant Phone Number: <u>412-841-9657</u>	Applicant Email: <u>johns@sandyhilldev.com</u>
☐ Property Owner	☐ Business Owner/Tenant
☒ Contractor	☐ Architect/Engineer

PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLICABLE:

Variance (☐ Non-Residential (\$450) / ☐ Residential (\$100)):

☒ Conditional Use Permit (\$350): Please see attached

☐ Other:

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.

Applicant Signature: [Signature] Date: 11-4-20

By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.

Additional Notes:	**OFFICE USE ONLY**	
	Zoning Information	
	Zoning District: <u>SP</u>	
	☐ Historic District ☐ CC Overlay Add'l Approvals Req'd ☒ Planning Commission ☐ Other:	
	BZBA Meeting Date: <u>11/19/2020</u> ☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Tabled ☐ Denied	City Council Meeting Date: _____ ☐ No Action Taken ☐ Approved as Submitted ☐ Approved w/ Conditions ☐ Denied
	P&Z Admin.: _____	Date: _____
	Clerk of Council: _____	Date: _____

Attachment: App #2020-5492 (App #2020-5492, 750 Rosehill Road, Rose Hill Ohio, LLC)



CITY OF REYNOLDSBURG
Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: _____

Date Submitted: _____

Fee Amount: _____

Section 1139
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☐ Paid: _____
I. PROPERTY INFORMATION

Property Address: _____
Rose Hill Road

Parcel ID#(s): _____
060-004557

II. PROPERTY OWNER OF RECORD

Property Owner Name(s): _____
Liana Goetz

Contact Email: _____
johns@sandyhilldev.com

Contact Phone Number: _____
412-841-9657

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: _____

Contact Name: _____

Contact Phone Number: _____

Contact Email: _____

Description of Use: _____

IV. APPLICANT INFORMATION

Applicant Name: _____
Rose Hill Ohio, LLC / John Spagnolo

Applicant Address: _____
257 Grove City Road, Slippery Rock, PA 16057

Applicant Phone Number: _____
412-841-9657

Applicant Email: _____
johns@sandyhilldev.com

☐ Property Owner ☐ Business Owner/Tenant ☐ Contractor ☐ Architect/Engineer

PROJECT INFORMATION**CHECK AND DESCRIBE IF APPLICABLE:**

Variance (☐ Non-Residential (\$450) / ☐ Residential (\$100)): _____

☒ Special Exception Use Permit (\$350): Please see attached

☐ Other: _____

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.

Applicant Signature: _____ Date: 10-31-20

By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: _____

☐ Historic District☐ CC Overlay**Add'l Approvals Req'd**☐ Planning Commission☐ Other: _____**BZBA Meeting**

Date: _____

☐ Approved as Submitted☐ Approved w/ Conditions☐ Tabled☐ Denied**City Council Meeting**

Date: _____

☐ No Action Taken☐ Approved as Submitted☐ Approved w/ Conditions☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

Rose Hill Ohio, LLC
257 Grove City Road, Slippery Rock, PA 16057

City of Reynoldsburg
 Department of Development
 Planning & Zoning Division
 7232 East Main Street
 Reynoldsburg, Ohio

Conditional Use Application

- i. Description of Zoning District and existing use of adjacent lots.
 The parcel to the south of the subject property is zoned - Residential Medium
 The parcel to the north of the subject property is zoned - Suburban Residential
- ii. Statement of Conditional Use:
 We are requesting the conditional use of ***Dwelling -attached single family***. The subject property is being proposed for development with the adjoining parcel to the south. The adjoining south parcel is zoned Residential Medium. The conditional use of the subject property combined with the parcel to the south makes a residential development a viable option to build.
- iii. The subject property is being proposed as a Residential Townhome Development
- iv. Please see attached site plan.
- v. It is our opinion that the conditional use of the subject property will fit the surrounding area. We will be adding quality and affordable single-family townhomes to the community.
- vi. Standards and Requirements for Conditional Use - zoning code;
 - i. The proposed use shall be in harmony with the existing or intended character of the zone or district and nearby affected zones and districts and shall not change the essential character of the zones and districts;
 - The proposed residential use is the same as the permitted use of the adjacent parcel to the south and included in the proposed development project.
 - ii. The proposed use shall not adversely affect the use of adjacent property;
 - The proposed residential use will be for residential housing and match zoning of an adjoining parcel.
 - iii. The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;
 - The proposed residential use will not adversely affect the health, safety, morals, or welfare of any person any more than the existing residential uses.
 - iv. The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;
 - The proposed residential use shall comply with the above statement.

Rose Hill Ohio, LLC
257 Grove City Road, Slippery Rock, PA 16057

- v. The proposed use shall not impose a traffic impact upon the public right of way significantly different from that anticipated from permitted use of the zone or district;
 - The proposed residential use will not impose an impact on public traffic. Please see traffic report attached.
 - vi. The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and Land Use Plan and any other plans and ordinances of the City;
 - The proposed residential use does comply with the above statement.
 - vii. The proposed use complies with the applicable specific provisions and standards of this code;
 - The proposed residential use does comply with the code.
 - viii. The proposed use shall be found to meet the definition and intent of a use specifically listed as a conditional use in the zone or district in which the subject property is situated;
 - The proposed residential use is specifically listed as a conditional use.
- vii. Please see attached site plan.

October 15, 2020

Mr. Andrew Bowsher
Development Director
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, Ohio 43068

RE: Rose Hill Townhome Development

Dear Mr. Bowsher:

In response to your recent traffic information email request, we offer the following information.

We have prepared a trip count evaluation and that information has been attached to this letter.

It is also in our experience that a development of this size would not require any offsite public improvements such as turning lanes or signalization.

As you can see on the proposed site plans, we are proposing two access points into the new development. The southern road is designed to be a right-in, right out only road. We will install the appropriate signage required to clearly convey this. There will also be a small island within the road to help control traffic and to force the right-in, right-out only turning movements. The second access road into the site will be a full-access road. There will not be any restrictions of turning movements.

If you should need any additional information please contact this office.

Respectfully Submitted,
Sheffler & Company, Inc.



Edward M. Moore

Attachment: Narrative (App #2020-5492, 750 Rosehill Road, Rose Hill Ohio, LLC)

TRIP GENERATION

County : Franklin
 Municipality : City of Reynoldsburg
 State: Ohio

Land Use Code: 220
 Description: Multifamily Housing (Low-Rise)

Number of dwelling units: 76
 X = # of dwelling units

Page: 31 ADT

Equation: $T = 7.56 (X) - 40.86$
 $T = 534$ ADT
 50% entering = 267
 50% exiting = 267

Page: 32 AM Peak Hour (between 7 and 9 a.m.)

Equation: $\ln(T) = 0.95 \ln(X) - 0.51$
 $T = 37$ AM Peak
 23% entering = 9
 77% exiting = 28

Page: 33 PM Peak Hour (between 4 and 6 p.m.)

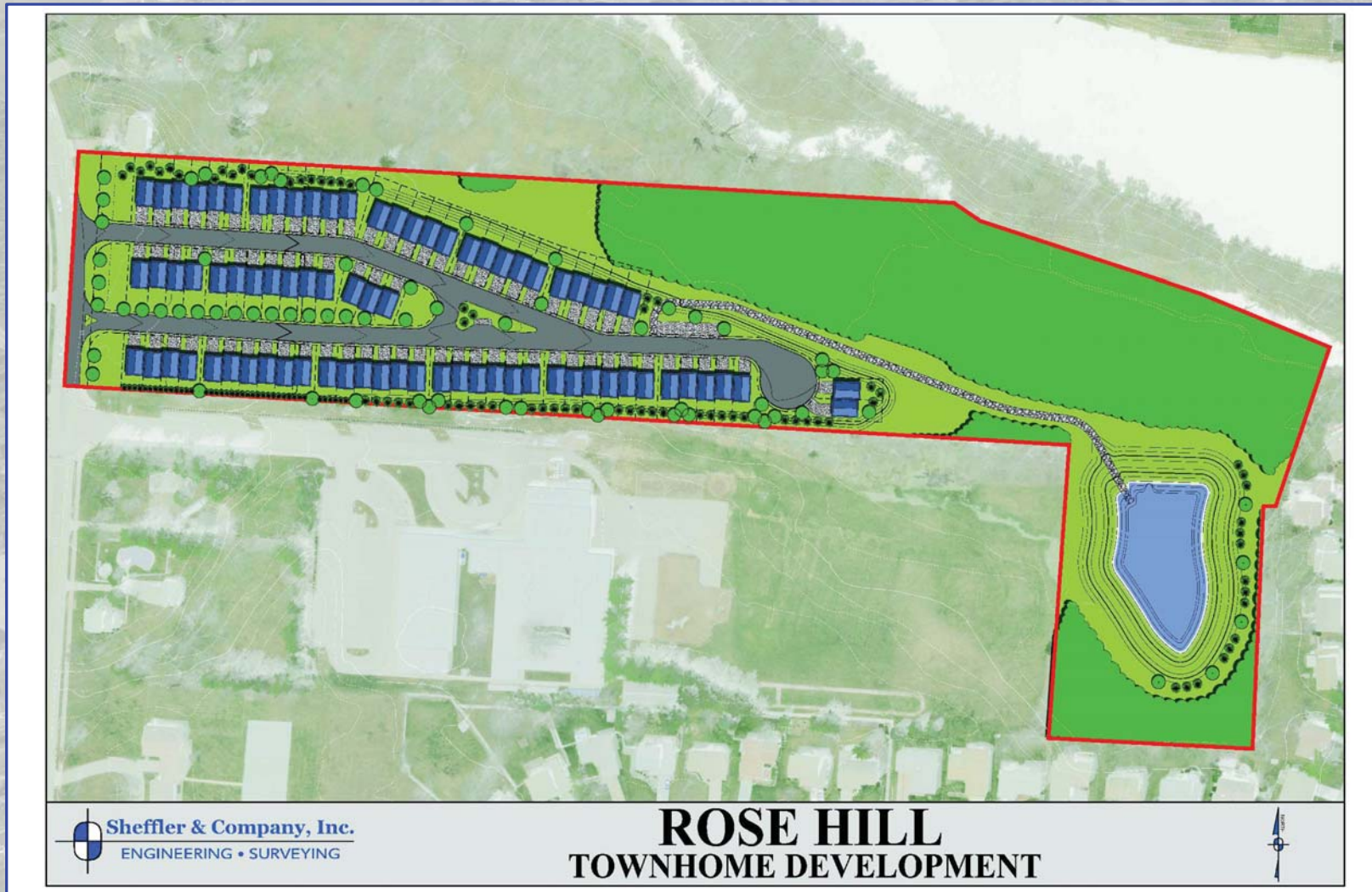
Equation: $\ln(T) = 0.89 \ln(X) - 0.02$
 $T = 46$ PM Peak
 63% entering = 29
 37% exiting = 17

Page: 37 Saturday (peak hour of generator)

Equation: $T = 1.08 (X) - 33.24$
 $T = 49$ SAT Peak
 *50% entering = 25
 *50% exiting = 24

*-Directional Distribution Not Available; Assumed Distribution

Site Plan



Attachment: Rose Hill Presentation - 11-05-2020 (App #2020-5492, 750 Rosehill Road, Rose Hill Ohio, LLC)

Reynoldsburg

OHIO • 1839

November 10, 2020

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: ~750 Rosehill Road (Parcel #060-004557) – Conditional Use #2020-5492
Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located north of 750 Rosehill Road (parcel #060-004557) and is within the Suburban Residential (SR) Zone.
- b. The applicant, John Spagnolo of Rose Hill Ohio, LLC, is requesting Board of Zoning and Building Appeals approval of a conditional use for the construction of a new residential development consisting of 76 townhome units. The 3-acre site is currently vacant.
- c. The development received Major Site Plan approval at the November 5th Planning Commission meeting.

2. Zoning Review (Section 1103.17)

- a. The proposed use ('Dwelling - Attached Single-Family') is listed as a Conditional Use in the SR Zone. BZBA approval is at the discretion of the Zoning Administrator.
- b. The proposed use requires 1 enclosed and 1 unenclosed parking space per unit. The applicant has met this requirement (each unit will have an attached 2-car garage).

3. Conditional Use Factors (Section 1109.15)

- a. The Board shall consider whether the proposed conditional use is consistent with the standards contained in Section 1109.15(D) of the Reynoldsburg zoning ordinance:
 - i. As noted in the zoning ordinance, 'the desired development pattern in the SR Zone is to accommodate multiple forms of single-family development, including attached single-family dwellings.' Additionally, 'Attached Single-Family Building' is listed as a permitted building typology in the SR Zone. The essential character of the zone and surrounding zones is unlikely to be changed.
 - ii. The proposed use will not adversely affect the use of adjacent property. The parcel to the South zoned Residential Medium will also be part of the development. Adjacent parcels to the North are also zoned SR and can continue to be used as single-family residences.

iii. The proposed use will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood.

iv. The proposed use is adequately served by existing public facilities and services. The applicant submitted a basic utility plan as part of their Major Site Plan application.

v. The proposed use, consisting of 76 townhome units, will impose a traffic burden greater than that of most other permitted uses in the SR Zone with the possible exception of 'Library.' However, the development will have 2 access points, thus mitigating some of the negative impact upon the public right-of-way. The applicant also submitted a trip count evaluation with their MSP application. Other parcels along the corridor do allow for a more intense use and corresponding traffic impact.

vi. The proposed use is in accord with the general objectives of the zoning ordinance.

vii. The proposed use complies with the applicable provisions and standards of the zoning ordinance, including permitted building typologies in the SR Zone. No variances are being requested.

viii. 'Dwelling - Attached Single-Family' is listed as a Conditional Use in the SR Zone. The proposed development as described meets the definition of this use, which requires each unit have independent exterior access and no less than two exterior walls.

If you have any questions or comments, please feel free to contact us.