



## AGENDA

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, NOVEMBER 19, 2015 6:30 PM

PLACE: COUNCIL CHAMBERS  
7232 E. MAIN ST, REYNOLDBURG, OH 43068

#### A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – September 17, 2015

2. Board of Zoning and Building Appeals – Special Meeting – October 8, 2015

3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

#### B. PUBLIC COMMENT

#### C. UNFINISHED BUSINESS

#### D. NEW BUSINESS

1. **8702 Firstgate Dr.; Application #171647; Applicant: Samuel Pignatelli**
2. **1743 Brice Rd.; Application #171741; Applicant: Sharon Smith; Business: Nazareth Temple**
3. **6324 E. Livingston Ave.; Application #171885; Applicant: Tonye Krukrubo; Business: Next Generation Child Care**
4. **555 Lancaster Ave.; Application #171986; Applicant: Frank D. Carlo; Business: Dynalab, Inc.**

#### E. OTHER BUSINESS

1. **Revision: Rules of the Board**

#### F. ADJOURNMENT

# **CITY OF REYNOLDSBURG**

## MINUTES

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, SEPTEMBER 17, 2015 6:30 PM

**PLACE: COUNCIL CHAMBERS  
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

#### A. CALL TO ORDER

PRESENT: Linder, Donovan, Enfinger, Wallace  
ABSENT: Rettke

#### 2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – August 20, 2015

The Minutes Stand Approved

#### 3. APPROVAL OF AGENDA

The Agenda Stands Approved

#### 4. SWEARING IN OF SPEAKERS

Vice Chairman Enfinger: Ladies and Gentlemen, if you do plan on speaking this evening, I do ask that you stand and raise your right hand. Do you swear or affirm that the testimony that you will give this evening before the Reynoldsburg Board of Zoning and Building Appeals is true and honest to the best of your ability? Please say I do.

Unison: I do.

Vice Chairman Enfinger: As a point of interest, when you come up to speak, we do need you to sign in. So, if you have not had a chance to do that, please do before you leave so that we have that on record. And, when you do speak, please start by stating your name and address so that we will also have on the record who you are.

#### B. PUBLIC COMMENT

#### C. UNFINISHED BUSINESS

#### D. NEW BUSINESS

#### 1. **6541-6543 E. Main St.; Application #171013; the Remnant Church; Applicant: Gary Smith; Special Exception Use**

Chairman Enfinger: Item 1 is Application #171013. 6541 and 6543 E. Main St. May we have the presentation please?

Mr. Snowden: Thank you Mr. Chairman, and other members of the Board. 6541-6543 E. Main Street - The Remnant Church is a Special Exception Use Permit. Application:

Minutes Acceptance: Minutes of Sep 17, 2015 6:30 PM (APPROVAL OF MINUTES)

#171013. Location: Property is located on the south side of E. Main Street between Beeler Drive and Crest Street. Existing Zoning: CC - Community Commerce. Request is for the Board to review and approve a special exception use permit for a new semi-public use. Current Use: Professional Office/Vacant Space. Applicant: Gary Smith, a representative of the stated church. Staff's Review: Parking - The applicant did not provide a capacity for the worship space, however, they did state that the church membership is about 75 persons. The parking requirements for a place of worship is 1 space for every 4 seats in the main worship space. Using the membership figure, this would require the applicant to provide 19 parking spaces. The site contains 60 parking spaces with room for additional parking spaces to be created along the side and rear. This is consistent with the 60-62 spaces that would have been required when the building was used as an eating and drinking establishment. Legal Review - The City Attorney's Office has advised Staff that the City is no longer able to regulate the location of places of worship based on the use regulations alone, and cannot impose any substantial burden upon them. Staff Recommendation: The Board should apply the standards for review of a Special Exception Use contained in Sec. 1145.09, and determine if the use, as proposed, is appropriate to the site. Staff recommends that the Board approve the Special Exception Use Permit. With that, I will turn it back over to our Chairman.

Chairman Enfinger: Do we have a representative this evening? Would you please step forward?

Mr. Smith: Good evening distinguished Council, my name is Gary Smith and I am the Pastor of the Remnant Church.

Chairman Enfinger: Good evening, how are you?

Mr. Smith: Very well. How are you all?

Chairman Enfinger: Very good, very good. So, Mr. Snowden, the legal review is where I would like to start. What is our concern?

Mr. Snowden: The Special Exception Use Permit is required per code. The City Attorney's position is that process is usurped by Federal Legislation that came out. Staff has presented the City Attorney with some alternatives to his interpretation, but ultimately staff is bound by that interpretation. The only basis the Board would have to deny the permit would be on the technical details such as the parking, which is why staff has reviewed it. The Board cannot deny the permit based on a statement that the use is incompatible with the location. That was per our City Attorney. It is not totaling removing the Board's authority, but it is limiting the Board's normal authority with regard to Special Exception Use Approvals.

Chairman Enfinger: I follow that. Thank you. We did see this property come before us a few months ago. Is there any update? Did it just not work out?

Mr. Snowden: The applicant elected not to secure the zoning certificate. That was for the other semi public use. The applicant elected not to secure a zoning certificate, or building occupancy for that proposed use, and that Special Exception Use Permit expired in August.

So, we are not in a situation here where the Board is being asked to approve something while we have a valid alternative permit. The Pastor can explain in detail. Staff's understanding is that the property owner was first looking to sell, and now they have elected to lease the space. Is that correct Pastor?

Mr. Smith: That is correct.

Mr. Snowden: So that property owner was first looking to sell to that other organization, and now they have elected to lease to Pastor Smith's organization.

Chairman Enfinger: Sounds good. Where are you currently operating?

Mr. Smith: Right now we are currently meeting at the Marcus Cinema on Rt. 256, for morning services on Sunday. I would like to add, while looking at or reviewing the history of Reynoldsburg, one of the things I noted was "The City of Respect". We would like to bring our organization into your city to join in concert with you in forwarding that respect. In doing so, we as an organization, would like to offer empowerment for citizens in terms of self development, in terms of parenting courses, and Children's ministries. Just preparing citizens for life.

Chairman Enfinger: Do we have any questions from anyone on the Board?

Mr. Donovan: Are they planning on any upgrades to the property while you are there? Are they going to modify anything for you?

Mr. Smith: nothing will be modified, in fact, the property at the 6543 location is namely administrative space, so that would remain the same. The other side, 6541, which we would utilize as our sanctuary space, was really a blank canvas. The carpeting was already there. The lighting was already installed. So there are really no changes to be made to the property, whatsoever.

Mr. Donovan: So it would not be cumbersome for you to get in there and start administering there?

Mr. Smith: Absolutely not.

Mr. Donovan: We had a group that was going to do almost identically what you are going to do and we were just talking about how they did not take the property over. We needed to have somebody deal with that in Reynoldsburg. So, I'm glad to have somebody come back.

Chairman Enfinger: Ok. If there are no further comments or questions, I make a motion that we approve Application #171013.

Mr. Donovan: I second it.

Mr. Snowden: Pastor, please allow me to read through as I do for each applicant. Next Steps: Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. The next steps are as follows: This application will be forwarded to City Council. The Clerk of Council will contact the applicant if Council elects to hold an additional hearing or takes any other action. The applicant should submit an application for a zoning certificate. That application should include two copies each of the site plan and the description of the use. Once Staff receives notice of approval from the Clerk of Council, Staff will contact the applicant when the certificate is ready for pickup. Once a zoning certificate is secured, the applicant will need to contact the Building Division at 614-322-6802 to submit plans for building occupancy and to complete the required inspections. Per section 1145 of the Zoning Code, Staff will review this permit approval in 6 months to confirm compliance and report those findings to the Board. If the applicant has not complied with all conditions of their approval and completed all the required steps to open the business/use, the special exception use permit can be revoked by the Board. There was an office use and now we are going to a Church use. And the reason for that, you are changing the use to a Church use, which is assembly, so you will also have to get a Building Permit. Ok?

Chairman Enfinger: Mr. Smith, one final thing, would you please state your address for the record, as well.

Mr. Smith: My address is 6541 E. Main St. Reynoldsburg

Mr. Snowden: Thank you Mr. Chair.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Richard Donovan                    |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

**2. 7495 E. Broad St.; Application #171055; Applicant: Joe Kuspan & Dorri Steinhoff; Variance - Residential - Fence**

Chairman Enfinger: Moving on to Item D. 2.; Application #171055 for property 7495 E. Broad St. May we please have the presentation?

Mr. Snowden: Thank you Mr. Chairman. I am going to go to the location on the map in front of you so that you can all see this property. 7495 East Broad Street - Residential - Variance. It is Application: #171055, for the property located on the south side of E. Broad Street, between

Kingsmeadow Dr and Waggoner Rd. Existing Zoning: UN - No zoning district applied. Request for the Board to review and approve a variance from Section 1171.06(c)(1) of the Zoning Code to allow a fence with a setback of zero (0) feet from the ROW line of a public street. Site & Context - The 2.381 acre site was annexed to the City from Jefferson Township in 2015. The applicants are refurbishing an existing single family home and intend to reside there and operate a bed and breakfast establishment. Properties across E. Broad Street

include a church in the City of Columbus and vacant/undeveloped land in Jefferson Township. The properties to the south contain single family dwellings in the R-3 Single-family Residential District of the City. Staff's Review: The fence regulations of the Zoning Code, contained in Section 1171.06, were written with the intent to regulate fences in a platted, single family neighborhood. Given that the majority of dwellings in the City were constructed this way, this was certainly appropriate. However, the regulations fail to take into account a site with characteristics such as a large size or a large setback proximity to a major arterial sites that are heavily wooded or have terrain that varies, etc. Staff's view is that these considerations warrant the consideration of this variance. Staff Recommendation: The Board should apply the standards for review of a variance contained in Sec. 1147.05 and determine if the requested variance conforms to the standards of that section. Staff recommends that the Board approve the variance. And with that, I will turn it back over to our Chairman. Thank you.

Chairman Enfinger: Would you please state your name and address for the record?

Mr. Kuspan: Joe Kuspan, 7495 E. Broad St.

Chairman Enfinger: Do you have any elevation drawings with the style that you are anticipating to use.

Mr. Kuspan: What you are seeing is more of a conceptual approval since we will finalize this.

Mr. Snowden: The Board members should have received that photograph in their materials.

Mr. Kuspan: It has the fence on there now. I have an accurate depiction from a color standpoint. Which is the reason it may be tough to read, because it is intended to be cedar for about two-thirds of the length of it. And stained in a color that will essentially appear as weathered cedar. What we are trying to do, is mimic the appearance of the cypress siding that is on the house. We can't use cypress because we have already spent... Cypress board is costing us \$7, \$8, and \$9 a board foot. So, we have restored all of the seventy-five year old cypress that is on the house, as well as replacing the cypress on the fascia and the window trim, due to it's deteriorated state. So, what we are proposing, and you will see in the last of the three images, on the second floor of the house, we clad that in channel siding, out of cedar. It is essentially a half scale version of the cypress. This house was designed by three apprentices of Frank Lloyd Wright. They used what he called a Usonian house, a tongue and groove board with a batton strip, that held it in, and was screwed into the studs every twenty-four inches. We are attempting to mimic the look of that. And, to sort of describe the idea of the fence, if you go from right to left, just to the right edge is an existing fence that is a dog-eared, pressure treated fence that is essentially the side yard of the first house on King's Meadow. Our intention is to extend that line to blur that western property line, bring that fence over, to get around a little bit of landscape, and protect it. We are getting a lot of salt damage to the hemlocks that we recently planted. And then pull that in approximately thirty feet, go around behind some of the landscape, and also navigate up the embankment that is there, and keep that part concealed. Then, allow the cedar horizontal parts that mimic the

esthetics of the house to go the remaining two-thirds of the site. We are showing, if you notice, just behind the tallest tree mass to the left of the pole, we are trying to do a little bit of navigating with the fence doing a kind of bubble layer and stepping. Our goal is to not have the fence fall and have the topal line read horizontally, so we don't have any diagonal fence boards or other things. We are also at that point where you see a little bit of landscape behind it. We are also proposing to set this center portion back four feet so that, should you request us to landscape it, there is the ability to put that planting strip in there and not be in the Broad St./State Rt. Right-of-way. When you get all the way to the left, we set the fence back another sixteen feet where the curb cut is at the driveway, and there it actually goes back and forth with some of the existing landscape. Our real goal here has nothing to do with privacy because the side yard is a fence, and the ravine and creek in the back will not have any fence. For us, it is essentially an acoustic barrier to all the traffic and noise that is on Broad Street. There is also a pond behind all of this landscaping. It is a pretty good habitat for wildlife. There are snakes, frogs, fish, turtles, deer, geese, birds, and other mammals. It is a nice wildlife habitat and we would like to keep it a little more protected, and a little less noise. We also get a lot of garbage and litter, and other things that tend to drift up into that landscape. So, our primary motivation is more of an acoustical barrier, which is why we want to make the fence solid, again, so that sound is not coming through.

Chairman Enfinger: On the sections that are going to be on the right-of-way line, on the zero foot setback, how many lineal feet are we talking will actually be on that?

Mr. Kuspan: I am going to guess maybe seventy-five feet. If you look at your drawing, the only place that is right on the setback is this little short, about twenty-four foot stretch here, which is the first part of the horizontal cedar board. Then, there is the other part where we are extending the existing side yard fence from King's Meadow that is really much longer. There, the fence sets back so you don't really notice it, and it navigates up the hill as a vertical fence, and then it switches to the horizontal fence. So, the vast majority of this is essentially four feet behind the set-back line. Other parts are anywhere from sixteen to thirty-two feet back.

Chairman Enfinger: Can we see the street view?

Mr. Snowden: Absolutely, one moment.

Ms. Wallace: So, your neighbors are already right on the line with their side fence?

Mr. Kuspan: Yes, we were told that was before that property was part of Reynoldsburg. And again, that is also their side yard and from my years with Bexley, side yard fences are obviously much different.

Mr. Snowden: That would be considered a rear fence, Sir. I don't know if those existed when that area became part of the City, but it does not really matter because it does more or less conform to the code except for the one on the very corner.

Mr. Kuspan: And exactly what leeway do we have when we get into doing this, if we find something has to give a little.

Mr. Snowden: The short answer will be, some. You will have the ability to move closer to the right-of-way, from your plan, if you need to. If we start having a plan come back that is vastly different from what you have submitted already, we will discuss that.

Mr. Kuspan: My intent is not to do that.

Mr. Snowden: I think your goal should be to stick with that as conceptually as possible.

Mr. Kuspan: Thank you.

Mr. Snowden: You are welcome.

Chairman Enfinger: Thank you.

Chairman Enfinger: Can you scroll it down so we can see where it will intersect with the neighbors? So, from that point there, that's a six foot fence?

Mr. Kuspan: That is a six foot but it is a vertical, dog-eared, pressure treated lumber that extends that. It goes to about the middle of where your image is right now, then it steps in. You can see that tree on the left that is isolated behind the phone pole. It goes behind that where it then starts to navigate uphill, so that is not really visible to anybody. And then, it switches to the horizontal cedar channel siding. Again, we are going to manipulate the grade so that the bottom of the fence maintains the horizontal. Again, we are trying to mimic the esthetics of the house.

Chairman Enfinger: It's unfortunate that we can't appreciate the look of that house. It is very unique and it does mimic that. You can't really see it from the street, especially when you are passing it at fifty miles an hour, with all the vegetation. But it is a nice looking house.

Mr. Kuspan: It was on the Columbus Landmarks "Top 10 Endangered Sites", and it is very well known among the architectural community and the historic preservation community. One of the three architects that actually did all the houses at Rush Creek in Worthington. In fact, the tower that we want to turn into a single occupant bed and breakfast, was actually the prototype for the tower that is at Rush Creek in Worthington.

Mr. Snowden: It is a very unique piece of architecture history that is located in our city, and it is pretty cool.

Mr. Kuspan: I agree. I can tell you are using nice products. You are using the Marvin windows and you can tell you are putting a lot of effort into it so we appreciate that. What is the right-of-way on that?

Mr. Snowden: If you look at page three of the application material, you will see that based on which entity there... the right-of-way for some pieces of East Broad Street is almost one hundred feet wide. It is pretty large. So, it varies pretty significantly. For the set back from the curb, I believe that is just inside where the utility pole was placed. When you have different entities, Jefferson Township and the State of Ohio acquiring some right-of-ways now in the City of Columbus, those different entities have different requirements for right-of-way. That is why you see parcels that look jagged, and then you see a platted street that is all platted with the same distance.

Chairman Enfinger: If we are granting the variance, what is the current set back we are then reducing to?

Mr. Snowden: The current set back would be forty. Because it is arterial, even though it is residential, it would be forty feet. And, you are reducing to zero. The Board could reduce to zero generically, which would allow the applicant some flexibility given they find some detail there that they need to maneuver around. The Board can also grant the variance to that section of code with the condition that the applicant stick largely to the conceptual plan that they provided. Which I believe is the intent of the applicant. But, if the Board felt it necessary to specify that, they could. All I would be concerned about would be if the Board granted the variance and said that they had to stick to a certain number of linear feet, and that the applicant would have to come back because maybe some detail of it would have to change. But, it really would be very small, but it would be changing what that approval was. If the Board is comfortable with the concept of it, I would try to find some flexibility for the applicant.

Chairman Enfinger: Make it broad enough that they do not have to seek another variance.

Mr. Kuspan: The majority of it is back as far as we could get it before we start hitting the mature trees, but very little is actually on the right-of-way. There is a little bit of a set back.

Chairman Enfinger: So, it is a six foot fence and it is going to be horizontal cedar, one by six, one by eight, something along those lines?

Mr. Kuspan: It is one by six channel siding. It is actually one by eight, so you get about five and a quarter inches projected out and you get about an inch and a half recessed in. The idea is to mimic the house without going to separate board and batton. It will look just like the picture of the little clear story that is in the picture that I gave you.

Vice Chairman Enfinger: Are there any other questions from other members of the Board? I make a motion that we approve Application #171055.

Ms. Wallace: I will second.

Mr. Snowden: Staff will mail a record of action notice to the applicant at the address provided. The applicant should submit for a zoning certificate. Staff will require two copies of plans showing the location of the proposed fence in conformance with this variance.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Libby Wallace                      |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

3. **1276 Lancaster Ave; Application #171085; Dru Delaforet; Variance - Residential - Fence**

Chairman Enfinger: Can we please have the presentation?

Mr. Snowden: Thank you Mr. Chairman. We have another fence, same section of code. Similar situation, different characteristics, and I think the Board will enjoy this one, as well. 1276 Lancaster Ave - Residential- Variance; Application: #171085. Location: Property is located on the east side of Lancaster Ave between E. Rich Street and Bryden Road. Existing Zoning: R-3 - Single Family Residential District. Request for review and approve a variance from Section 1171.06(c)(1) of the Zoning Code to permit a fence with a setback of five (5) feet from the ROW line of a public street. Current Use: Residential. Applicant: Dru Delaforet Background Information: Proposal - The applicant is requesting the Board review and approve a variance from Section 1171.06(c)(1) of the Zoning Code to permit a fence with a setback of five (5) feet from the ROW line of a public street. The applicant is proposing to construct a 6ft wood privacy fence along a line parallel and 5ft to the north of the ROW line of E. Rich St. Existing Site & Context The site is a single family dwelling and is surrounded by other single family dwellings. The subject site and all adjacent parcels are zoned R-3 - Single-family Residential District. Considerations: Lot Characteristics - As I stated in our previous case, our regulations for fences were written with a single family platted lot, suburban style residential, in mind. The Highland Terrace addition was originally platted in the 1920's and contains lots that do not meet the minimum size and frontage characteristics of the current Zoning Code. The building setback from E. Rich Street would be thirty feet from the ROW. Section 1171.06(c)(1) prohibits the applicant from constructing a fence any closer to the street than this, which would mean only approximately one-half of the rear yard could be enclosed with a fence. Staff does not feel this was the intent of the code. The intent of the code was that if the building line was thirty feet, that is where the house would be located. This house is located sixteen feet from the public right-of-way. The applicant requested to construct a fence at five feet in this location, so that he could fence in most of the back yard. That would place the fence in this location. Staff reviewed the location and did not feel it would interfere with any of our turning characteristics or anything like that. There are other individuals in this area that have this type of fence, possibly constructed before our current regulations were enacted, or secured variances in the past. Staff Recommendation: The Board should apply the standards for review of a variance contained in Sec. 1147.05 and determine if the requested variance conforms to the standards of that section. Staff recommends that the Board approve the variance.

Chairman Enfinger: Please state your name and address for the record please?

Mr. Delaforet: My name is Dru Delaforet and my address is 1276 Lancaster Ave.

Chairman Enfinger: Do you happen to have any elevations or can you explain what the fence is going to look like, and the materials you are planning to use?

Mr. Delaforet: I do not have any pictures but there is pretty much no elevation and we are planning on doing a dog-eared, six foot fence. Painted white to match the garage and the screened in porch, to match the esthetics.

Mr. Donovan: How close to the corner are you placing this fence? Are you going to have a fence in the front of the house also?

Mr. Delaforet: No, it is going to be right on the edge of the screened in porch. It is going to come from there, out, and over as he indicated.

Mr. Donovan: So, it is not going to go toward the street, it is going backwards?

Mr. Delaforet: It is going to close the house and the garage.

Mr. Snowden: It would be a rear fence. Mr. Donovan, there is a thirty foot setback at the front.

Mr. Donovan: Trees block enough as it is.

Mr. Snowden: You are right. What we are doing is, we are taking a corner lot, and the applicant is requesting to vary on one side of that corner lot because of the narrowness of the lot. The applicant is not requesting to go any further to the street at the front of the property. That would have been a separate variance and we would have been varying from a different section there. I understand you are really trying to gather, Mr. Donovan, what he is requesting. This line here from this corner, to five feet from the street, staff measured that at forty-five feet, so it was not within the thirty foot build line that would have also varied the front. We are really varying from the corner lot regulation.

Chairman Enfinger: Are there any other questions? Alright, I make a motion that we move to approve Application #171085.

Mr. Donovan: I will second it.

Mr. Snowden: Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. The applicant should submit for a zoning certificate. Staff will require two copies of plans showing the location of the proposed fence in conformance with this variance. When that is done, I will contact you so that you can pick it up.

Mr. Delaforet: Thank you very much. We are new to this area, not to Central Ohio, but to Reynoldsburg, and thank you very much.

Chairman Enfinger: Welcome and we are glad you are making improvements. Thank you.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Richard Donovan                    |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

**4. 1727 Brice Rd.; Application #171119; Judah Redeemer Life Changing Ministries; Applicant: Gwendolyn Williams; Special Exception Use**

Chairman Enfinger: May we have the presentation?

Mr. Snowden: 1727 Brice Road - Judah Redeemer Life-Changing Ministries Church of God in Christ - Special Exception Use Permit Application #171119. Location: Property is located on the west side of Brice Road between Astor Ave. And Radekin Road. Existing Zoning: CC - Community Commerce. The request is for the Board to review and approve a special exception use permit for a new semi-public use.

Current Use: Vacant Space. Applicant: Gwendolyn Williams. The applicant is requesting the Board review and approve a special exception use permit for a new semi-public use within an existing commercial building in the CC - Community Commerce District of the City. Existing Site & Context - The site is located on the west side of Brice Road between Astor Ave. and Radekin Road. The site consists of an existing multi-tenant commercial building and associated parking. Adjacent uses include commercial businesses in CC - Community Commerce districts of the City. To the west, the property abuts single family homes within the City of Columbus. The applicant is proposing to utilize the space for worship services and related church activities. Staff would like the applicant to clarify that their activities and ministries as stated consist mostly of small group meetings and similar activities. The applicant is not proposing a childcare center or any related exterior improvements. The applicant provided a plan showing the capacity for the worship space is 110 people. This would require the applicant to provide 28 parking spaces. The subject site includes at least 92 parking spaces. Given that the applicant is proposing to worship on Sunday when many of the businesses are closed, Staff does not have any outstanding concerns about parking. The City Attorney's Office has advised Staff that the City is no longer able to regulate the location of places of worship based on the use regulations alone and cannot impose any substantial burden upon them. Staff Recommendation is that the Board should apply the standards for review of a special exception use contained in Sec. 1145.09 and determine if the use as proposed is appropriate to the site. Staff recommends that the Board approve the special exception use permit. And with that, I will turn it over to our Chairman.

Chairman Enfinger: Ma'am, would you please state your name and address for the record please?

Pastor Williams: My name is Gwendolyn Williams. I am the pastor of Judah Redeemer Life Changing Ministries Church of God. 1727 Brice Rd.

Chairman Enfinger: We do not have much to ask but are there any comments or questions from anyone on the Board?

Mr. Snowden: Mr. Chairman, Staff tried to provide analysis over the things the Board could consider.

Chairman Enfinger: I appreciate that. In the past, the Board has denied these types of uses. I still feel the use for the building and for the area structures is better used in other ways and I want to make a statement of that for the record to maintain consistency, and state my personal views. However, That is irrelevant, but I still wanted to have that on the record for consistency sake. Having said that, I make a motion we move to approve Application #171119.

Ms. Wallace: I will second.

Mr. Snowden: Pastor, let me read through our details. I will provide a letter to you stating all of this. This application will be forwarded to City Council. The Clerk of Council will contact the applicant if Council elects to hold any additional hearing or takes any other action. The applicant should submit an application for a zoning certificate. That application should include two copies each of the site plan and the description of the use. Once Staff receives notice of approval from the Clerk of Council, Staff will contact the applicant when the certificate is ready for pickup. Once a zoning certificate is secured, the applicant will need to contact the Building Division at 614-322-6802 to submit plans for building occupancy and to complete the required inspections. Per section 1145 of the Zoning Code, Staff will review this permit approval in 6 months to confirm compliance and report those findings to the Board. If the applicant has not complied with all conditions of their approval and completed all the required steps to open the business/use, the special exception use permit can be revoked by the Board.

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|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Libby Wallace                      |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

**5. Stoney Creek Plaza, 2087 OH-256 #T; Application #171225; BIBIBOP Asian Grill; Applicant: Stoney Creek Holdings LLC, Brian Barker; Variance - Non-Residential - Sign**

Mr. Snowden: Mr. Chairman, I will begin Staff's Report. 2087 Baltimore-Reynoldsburg Road, Ste. T - Bibibop - Variance Application #171225. Property is located on the west side of Baltimore-Reynoldsburg Road just south of the southern leg of Stonetrail Way. Existing Zoning: CS - Community Services District. Request for review and approve a variance from Section 1181.03(c)(1) and Table 1181 of the Zoning Code to permit up to three (3) wall signs with an area up to 252sf. Current Use: Eating and Drinking Establishment. Applicant: Stoney Creek Holdings LLC., Brian Barker. Basically, what the Code says is, you get one wall sign. The applicant is requesting the Board review and approve a variance from Section

1181.03(c)(1) and Table 1181 of the Zoning Code to permit up to three (3) wall signs with an area up to 252sf. The applicant will be proposing exterior modifications to an existing building in order to open a new eating and drinking establishment. The site consists of a multi-tenant building with various commercial retail uses. The subject tenant space was an eating and drinking establishment until recently. All of these uses are permitted uses in the CS District. Neighboring parcels contain commercial businesses, also in the CS District. To the west, the property abuts multi-family buildings in the AR-1 district of the City. The applicant is requesting that the Board vary the requirements of the Zoning Code that restrict the number and area of signage. Setback Type Permitted Proposed 128' B 128sf 252sf (calculation to be clarified.) Staff recognizes that the Zoning Code fails to allow any additional signage for tenants located on the end tenant space of a multi-tenant commercial building unless that building is on the corner of two public streets. When the Code was written, multi-tenant complexes of the scale of E. Main Street would have been more typical than those developed on Baltimore-Reynoldsburg Road. Exterior Modifications - If the Board elected to grant the variance, the applicant would still be required to receive a Certificate of Appropriateness from the Design Review Board for the signage and proposed exterior modifications. The applicant could not exceed the amount of signage approved by the BZBA but could change the characteristics of that signage. So, there is still another approval that this applicant would be required. One item that Staff wants to clarify, the way we calculate signage size in Reynoldsburg is known as "smallest contiguous area". A line can be drawn around signage figures, this is, if a sign is mounted to a building, like channel letters are mounted to a building, a line can be drawn around those figures in the smallest way that would be continuous and would include all of the graphics, figures and details, and that area is the area of the sign. I think when the applicant made their calculation, they calculated 164, I calculate it out at 252, but I did not, and staff does not have the ability to calculate it as precisely as folks do with the drawing programs that actually design signage. We need to clarify how much signage they are really getting approved for. The second part of that conversation is, if you look at the channel letters and graphics that are being placed on the white fascia, if you draw a contiguous line around that, that would be the area of the sign. If you place that on a raceway, or colored sign board, and then place it on the facade, that entire area would be considered part of the sign. So Staff's concern is that although the applicant needs to get committed to an area. If there are changes that DRB wants to see, that may exceed the size for which they are approved for in their variance. I don't really have a solution, I am just explaining what the situation is to the Board. With that, we can hopefully work towards more clarity. Staff recommendation: The Board should apply the standards for review of a variance contained in Sec. 1147.05 and determine if the requested variance conforms to the standards of that section.

Chairman Enfinger: Please state your name and address for the record please.

Ms. Candella: Good evening council. My name is Tanaya Candella. I am the development manager for Bibibop, LLC, and our location is 2087 OH Rt. 256.

Chairman Enfinger: So, the signage on the front elevation, those are just letters applied to a white facade, that is not one entire huge sign, right?

Ms. Candella: Correct, they are individual channel letters. They would be internally illuminated. So there will not be any lights or anything on there. It will be a very clean look.

Chairman Enfinger: But there will be exterior lighting on the "Well Being" part of it?

Ms. Candella: Correct. Different jurisdictions have been counted as an architectural feature as well, not necessarily as signage. So, it just depends on how you view that because it does not have any internal illumination. They are being lit with either a goose neck or a wall flush light.

Mr. Snowden: Mr. Chairman, and other members of the Board, per our sign code, that would be a sign. However, only the middle portion of the three panels would be considered a sign, because there are figures and symbols. The other two panels would not be considered part of the sign because they are separated. Staff was explaining the challenge of getting to a calculation of what really the applicant requires. The only reason Staff is making an issue of that is because Staff does not want the Board to approve a very high level of sign area in which the applicant could then attempt to put larger signage than what is being put on this sign conceptually.

Ms. Candella: If I may, we actually have been before the DRB as a preliminary to get their comments and their feedback and they did not have any negative comments to the signage we were proposing. It was more a matter of whether or not the variance could be approved. As far as design changes, we are very happy with what we have. The only change we were considering internally was the vertical sign. Is something we have not done on a building, so there may be some slight adjustments to the letters or how we show that. But in essence, we are very pleased with how it looks.

Mr. Donovan: I have a questions about the elevation you are depicting. If you look at the facade of the existing building, they just did a remodel of that plaza and changed the outlook to make it look as it looks now. How can you change the peaks to look like flat areas when everything else has a design that goes down. That is going to change the outlook of the whole plaza.

Ms. Candella: It's something we spoke in detail with the landlord, prior to signing the lease, and he was all for making the design changes. He has seen and approved the designs to the building, knowing we would take on the responsibility of making the modifications. I brought a board to show you the materials. It is a cedar plank and a stone. We completed a location in June on E. Broad St. That has a very similar look to what this building would be.

Mr. Donovan: It seems strange that they put all that money into it and they are going to have you come in there.

Ms. Candella: It is on us. It is not something the landlord is doing. We are taking the project on and taking the expense of the project. We are trying to build a brand in Columbus and we feel the building as it stands, does not give us our brand identity, which the

modifications would. The landlord has approved the design and is on board with the modifications.

Mr. Snowden: Let staff interject here. Ms. Candella is correct that DRB did do a conceptual review of this, and that was at Staff's request, given that this was something that had not been represented in Reynoldsburg before. Staff wanted DRB to take a look at it and start giving feedback before applications were made. Two items that did not make it into this elevation, because this elevation was done by Brandt Signs, which is the applicant's sign contractor, was that the applicant proposed to remove in that third tenant space, where there is a white panel, DRB would propose to keep that color the same as the remainder of the center. The second thing they also proposed, was to change the color of that wooden material to be something that is more consistent with the overall color of the entire building. Staff understands both positions, and Mr. Donovan has brought up a very good point, and Staff has heard that from other individuals as well. The one thing that Staff would like to point out about this center, is that although the peaks are very consistent, if you look at this end cap, that peaking system and the detailing is not really replicated elsewhere. The building is not visually balanced with peaks at even symmetrical spaces. So, if you look at that, you can see that this building is not symmetrical. In some ways, reducing the building peaks, in the opinion of Staff and some of the DRB, did sort of bind things together a little bit more. Right now you have the far left southern side anchored with those high peaks. So, Staff felt that reducing those could bring the building into a more symmetrical look, which was positive in general. There are some conflicting views here. One other thing that may be relevant, thinking back to the variance that was granted to the car wash immediately to the north of this property, it may be positive for the Board to grant the variance based on the applicant's approval to DRB be largely consistent with the concept plan. I think the point that the applicant is making is that they want to do this plan. The problem when we grant variances is you are varying the Code. So, If this fell through, the variance would still be granted for that much signage at the site, and the signage could be totally different.. There is nothing that could prevent DRB from approving totally different signage. So, perhaps the Board should make it conditional upon that, stating that it has to be largely consistent with this concept plan and cannot show any more signage than is shown here. That is the only thing I can think of to bind our two processes together and make it all make sense as part of a development review process.

Ms. Candella: If I may as well, you will also be reviewing the construction drawings so you will be familiar with the project and I am more than happy to send you any documents to show that we are staying consistent.

Mr. Snowden: That is not the point. The point is that the variance would grant anybody who is there, the ability to have this much signage. The opinion of staff is that the Board should tie that to a specific project. And you are requesting it as part of a specific project. It is the location. If tomorrow it became Chipotle, they would be entitled to this much signage, regardless of what you showed in your concept plan. So that is why it may be positive for the Board to go in that direction in order to keep it tied to the specific project.

Chairman Enfinger: Above the roof line to the two taller gable ends, and then it drops down to the shed roof area, do you happen to know approximately how far off of that existing roof line off the twin peaks there?

Ms. Candella: We are planning on staying consistent with the one. We will be level with that one. The raised section.

Vice Chairman: Everything else dimensions down from there?

Ms. Candella: Yes.

Mr. Donovan: That's the pinnacle?

Mr. Snowden: The pinnacle of the architectural fascia.

Ms. Wallace: I think it looks great. I think it will update that strip mall. To me it is so dated looking, and to have something that seems more streamlined and sleek, will look better than it looks now. Personally, I like the updated look of the building and of the signage.

Mr. Snowden: One of the things that staff and the Director have been in contact with the property owners about is that they can not go with each tenant being individualized. Staff can kind of support what they are doing here because it is on an end and it is replacing something that is already not symmetrical, but, we are not going to be able to differentiate each individual tenant space with this type of new palate of materials and new colors and so forth, other than signage. Because that is getting too busy for a multi-tenant commercial building that needs to have some composure. Staff's goal was to try to find a way to take Bibibop's brand, and integrate that into this multi-tenant commercial building and not mess everything up. That is harder. It is easier if we have a stand alone building where Bibibop can do whatever they want and they do not have to relate to anything other than the scale of the buildings next to them. This is a lot harder, for sure.

Chairman Enfinger: If we were to grant a 252 sq. ft., that would give enough latitude and leeway to work within some design perimeters and not be too limiting or too generous at the same time.

Mr. Snowden: I think so. And now that I have thought more about it, and talked with the applicant, I really want to recommend that the Board try to tie this to a concept plan that is largely consistent with this. We do not want to be granting these variances in a vacuum. That is always Staff's point. Staff is always thinking about what could be the most outrageous result from the Board granting a variance? Keeping that to a minimum could be positive. DRB will be approving the patio as well, as part of that process.

Chairman Enfinger: Are there any other questions or comments? I make a motion that we move to approve Application #171225.

Pastor Linder: I second.

Chairman Enfinger: Let me make an amendment to my motion. I make a motion that we move to approve application #171225 on the condition that they intend to stick to the submitted elevation plans and concepts that they submitted to the BZBA.

Mr. Snowden: Mr. Enfinger, let me jump in. On condition that the applicant's final signage plan be consistent with the Concept Plan presented. It will be reviewed by the DRB, as well.

Chairman Enfinger: My motion to adopt and approve Application #171225 is that the applicant remain consistent with the submitted plans and concept.

Pastor Linder: I second it.

Mr. Snowden: I think you know the process at this point, but you should contact Staff for assistance with applying for a Certificate of Appropriateness from the Design Review Board. All exterior modifications to the building should be included in that application. Once the applicant secures a Certificate of Appropriateness, the applicant should submit for a zoning sign permit for the proposed signage. Staff will require two copies of plans to confirm compliance with the approved Certificate of Appropriateness. The applicant will need to contact the Building Division at 614-322-6802 to submit building plans for review for the proposed wall sign. The Building Division cannot issue permits for sign erection until after the zoning sign permit is approved. We will need to meet with you for pre application for DRB, and you should contact Dan or myself when you are available and we will sit down with you.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Robert Linder                      |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

**6. 8455 E. Broad St.; Application #171285; L Brands; Applicant: L Brands C/O David Hodge; Variance - Sign**

Mr. Snowden: Thank you Mr. Chairman. 8455 E. Broad Street - The Limited/L Brands - Variance; Application: #171285. Location: Property is located on the southwest corner of E. Broad Street and Taylor Road. Existing Zoning: RI - Restricted Industry District The request is for the Board to review and approve a variance from Section 1181.03(e)(3) and Table 1181 of the Zoning Code to permit, to allow a 200sf LED video sign. Current Use: Warehousing/Office/Industrial Space. Applicant: L Brands, David Hodge. The site consists of a multi-building corporate/ industrial campus and related improvements. The applicant operates offices and a distribution center at the site. The buildings are clustered around a central parking/access area which is served by a main entrance from E. Broad Street. This entrance is the location of the proposed LED sign. Staff review: Administrative - This variance was previously approved in November of 2013. Per Section 1147.07 of the Zoning Code, variances are only valid for a term one year. During that time, the proposed

improvement must be constructed. The applicant is returning today to reapply for that variance as previously approved and complete the review and approval process for the proposed sign. Site Characteristics - The site is a multi-building campus, and the minimum existing setback from E. Broad Street of the buildings is 450ft. The buildings are screened by landscaping and an earthen berm along the south side of the public street. Given that scale of the site, and the lack of signage on the buildings, the applicant can make a reasonable claim that additional signage is warranted. The applicant is correct in their statement that this type of signage had not been invented at the time the Code was implemented. This Board has generally restricted LED video boards in retail commercial areas as they can become too distracting and increase visual clutter. The Board has sometimes allowed these in the past at other institutions such as the Reynoldsburg High School campuses. Although The Limited/L Brands is a commercial enterprise, the site is heavily landscaped, campus-like and shares many characteristics with other public and semi-public institutions within the City. Staff feels that site characteristics are most similar to these types of uses and dis-similar with commercial retail. Staff recommends that the Board should apply the standards for review of a variance contained in Sec. 1147.05 and determine if the requested variance conforms to the standards of that section. With that, I will turn it back over to our Chairman.

Chairman Enfinger: Thank you Mr. Snowden. Hello Mr. Hodge. How are you?

Mr. Hodge: Great. How are you all?

Chairman Enfinger: Doing good. So, is the presentation, the drawing of the sign? I do remember a little bit of information from when this originally passed. Are the application and presentation relatively the same?

Mr. Snowden: Staff reviewed the previous application, and did read the minutes from that section. Staff needs more assistance from the Board Members who were around at that time to recall anything else that was stated, and any other problems. What they are proposing is exactly the same, except, they are proposing to move to the opposite side of the same intersection. That is pretty much the extent of it.

Chairman Enfinger: So the sign will essentially be facing west?

Mr. Snowden: The sign will be on the southeast corner of E. Broad Street. You will see the sign, given the angle that it is being proposed to be installed, as you are traveling east bound on Broad Street. That is consistent with how folks access the site. The majority of their traffic is coming in from the City rather than towards Reynoldsburg from points east.

Chairman Enfinger: I do recall that there were concerns about how frequently the sign changed. Were there any conditions at that time?

Mr. Snowden: The record did not reflect that. Just because the record did not reflect that doesn't mean it was not done. The Board has done that in the past at other locations. Previous Boards have done that. Staff can not really provide more insight into that, unfortunately.

Chairman Enfinger: Mr. Hodge, do you have any idea as to how frequently the sign will rotate and change?

Mr. Hodge: David Hodge with Smith and Hale, 37 W. Board St., Columbus, Suite 460, 43215. Attorney for the applicant and property owner, L Brands. We have done a number of these types of signs around town. Probably most notably, and similar to this application, the L Brands other office building at Morse and 270, by Easton. They have this same sign. The industry standard, at least with reference to when we did those, is static for eight seconds, and then new image.

Chairman Enfinger: Are there any concerns with the square footage or sizing of the sign? It is two hundred square feet.

Mr. Snowden: Obviously Staff wants to prevent excessive signage in the City, in general. However, given the scale of this improvement, in the opinion of Staff, it is not unreasonable.

Mr. Hodge: I would just say that regionally, we are so blessed to have this organization in our county, much less the City of Reynoldsburg. This is a major employer. Many of my neighbors in Bexley drive Broad Street to this location many times a day. Unfortunately, they work longer hours than I do. They come home at 9:00 and 10:00 at night. This is certainly an exceptional application, but it is also an exceptional set of circumstances. This is an international organization with a substantial number of employees here and an important part of our region. It would be our position, and certainly my request, that those factors be taken into consideration by the Board and The City of Reynoldsburg in making a determination. This international organization feels that this is the appropriate type of signage for a headquarters location like this and they are in the fashion business, and far be it for me to question what they say as far as that is concerned.

Mr. Donovan: Will this sign have a different intensity for day and night?

Mr. Hodge: I do not know the answer to that question. I would imagine it has the capacity, in reading through some notes. I know it is a shockingly expensive installation. I would imagine it has that capacity but I do not know the answer to the question.

Mr. Donovan: I am concerned because at night time you do not want a sign that is going to be blasting as bright as it would have to be during the day. Especially for people coming out of that plant in the middle of the night.

Ms. Wallace: I know the one on Morse Road, I have seen at both daytime and nighttime, and it is not comparable to the one on the south end of 270 that literally blinds you. This is really unobtrusive with it's lighting. It is a mild lighting.

Mr. Snowden: Mr. Chairman, other Members of the Board, and Mr. Hodge, this is one of those situations where the code does not really provide real guidance for Staff or the Board, whatsoever. Staff likes to avoid situations where they are going with their gut feeling.

Staff's feeling is that this is not unreasonable. Staff sometimes has to make that assessment, and that is one of the reasons the Board is here, to make that assessment. Would the Board feel more comfortable, if they chose to approve this, if Staff reviewed an industry standard for day and nighttime operations, and have the applicant submit that as part of their zoning sign permit. Is that something you think the applicant would find unreasonable, Mr. Hodge?

Mr. Hodge: Well, I certainly think we can submit some information that outlines their intention for use of the sign, whether it is that intensity is decreased in evening hours to prevent glare, etc...

Mr. Snowden: If the applicant could provide that as part of the zoning and site plan, Staff could compare it to industry standards and find whether it is within the perimeters of an industry standard. There is not a lot of guidance, especially for cities. A lot of cities are prohibiting them outright, but the reason they are doing that is because they are really more geared towards billboards rather than entry signage into a large campus-like setting. I have seen these other campuses, including college campuses that are very historic. It is a newer piece of technology and it is being used in a very different application from the area it is being regulated out of, which is billboard signs. A lot of drivers on the highways at night are having problems with the very bright ones. If that is something the Board would consider, that would make the Board feel comfortable in their decision, Staff could certainly work with Mr. Hodge to evaluate that prior to approval.

Chairman Enfinger: Are we talking about any kind of setbacks? Are we going in the exact same place that the current ones are sitting?

Mr. Snowden: It is essentially right next to them. The setback per the code is ten feet and they did not specify that on here, but when Staff measured the existing sign, based on what they are showing, it is essentially right next to them. The set back per the code is ten feet and they did not specify that on here. When staff measured the existing sign, based on what they are showing, that sign was at twenty feet. Per the code there was not a need to do any variances.

Chairman Enfinger: So, you measured it twenty feet from the street?

Mr. Snowden: From the right of way line. Per code, ten feet would be the minimum.

Mr. Hodge: I think the signs out there now are eighteen feet.

Mr. Snowden: From the street?

Mr. Hodge: From the right of way. We are certainly not going to be within the ten foot line.

Mr. Snowden: Staff did not find a reason that the applicant would need to vary from that revision. One of the things Staff likes to do is keep the variances to a minimum, so if the applicant is requesting a variance for Item A., Staff tries to make sure they are meeting all the

other details just because Staff does not like to request that the Board has to make too many variances. Staff finds it to be confusing and sometimes an issue.

Mr. Donovan: I am not opposed to the sign, I just want it to be safe, especially at night.

Mr. Hodge: I have seen them before and I know one that sticks out to me, you drive in the evening and it is like lightening flashing. They do have that capacity. I am certain it is not their intention to do that, so we will provide their intentions to Mr. Snowden.

Mr. Snowden: What we would do, if the Board approved it in that manner, if it was within the parameters that I could find in industry standards, Staff could approve. If it were to be outside of the parameters, we would talk with Mr. Hodge and see if he was willing to modify, and go from there.

Mr. Hodge: I am absolutely confident that it is not going to be necessary, so I am willing to commit to that condition.

Chairman Enfinger: One other thing on the drawings, my copy of the drawings, I cant really see any of the dimensions or measurements, or anything. What are the sizes of the sign?

Mr. Snowden: I have thirty-one feet, eight inches across the top, and eight feet three inches tall.

Chairman Enfinger: So that is eight feet to the top once it is installed, or eight feet of actual sign?

Mr. Snowden: It is six feet of signage, eight feet at that base. Mr. Enfinger, I am going to show you my copy. Mr. Enfinger, and other Members of the Board, the maximum height for a sign in commercial and industrial districts is ten feet from the finished grade. The finished grade cannot be specifically raised in order to get the sign more height, and that has not been done, although there is some terrain there, but that was pre-existing landscape. This would meet that code section as well.

Chairman Enfinger: Do we have any other questions or comments from any other Board Members? I make a motion that we move to approve Application #171285 on the condition that the applicant will provide to staff literature commenting and explaining the intensity of the day/night contrasts of the light, and some specifics on the frequency of the changing of the display images.

Mr. Donovan: I will second it.

Mr. Snowden: Mr. Hodge, as you know, I will provide a letter stating the actions you will need to take. However, you should contact staff for assistance with applying for a Certificate of Appropriateness to the Design Review Board, for the sign. Once you secure that Certificate of Appropriateness, you will need a zoning sign permit. You will need to contact the Building Division to review building plans, and Staff can assist with all those items.

Mr. Hodge: Question, Mr. Snowden on that issue. Certainly, it came as a surprise to our client that the variance had expired. We thought that the sign was up long ago. Obviously you and I had some conversations, and you quoted me chapter and verse of the zoning code, related to variances expiring after a year. When this request was previously approved, they went to the DRB, and they got a COA.

Mr. Snowden: That does not expire, so if that is the case I will review and you will not need to do that as long as it is consistent. I will review that and I may have made that mistake in my report.

Mr. Hodge: We didn't think we needed to come back.

Mr. Snowden: I didn't mean to send anyone into a panic. And now that you are mentioning it, I believe we did discuss that at your pre-application meeting, and that certificate does not expire. I can modify what I said. You can skip step one and go directly to step two. Thank you for catching my error. With that, I will turn it back over to our Chair.

Chairman Enfinger: Thank you Mr. Hodge.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Aaron Enfinger                     |
| <b>SECONDER:</b> | Richard Donovan                    |
| <b>AYES:</b>     | Linder, Donovan, Enfinger, Wallace |
| <b>ABSENT:</b>   | Rettke                             |

#### E. OTHER BUSINESS

Chairman Enfinger: I wanted to make note of the fact that we have seen the fence go up on the corner of Baldwin and Livingston. I think it looks good. At first, I did not remember and I thought we had tabled that or did we pass it with the condition...

Mr. Snowden: It was denied initially. In Staff's defense, this happened before Staff was here. There was a conditionally approval of some type, and then the applicant did a minor site plan, which Staff can approve. That is an approval that Staff can do. They can include that as long as they are outside of five feet there. Which was one of the issues. I will look in my office when we have finished this meeting. I think what they were requesting when they were going for the variance was to be inside of five feet of the right of way. I am going to need to review the minor site plan they were approved for.

Mr. Donovan: They were set back off of that.

Mr. Snowden: It should have been a minimum of five feet. I will check that minor site plan. I apologize, I can not give a more specific answer for that,

Chairman Enfinger: That is understandable.

Mr. Snowden: Which side are you referring to Mr. Donovan?

Mr. Donovan: I am talking about the Livingston side. They are right at the sidewalk.

Chairman Enfinger: At the retaining wall.

Mr. Snowden: That was to be set back five feet.

Mr. Donovan: What about the asphalt? They put the fence right at it.

Chairman Enfinger: I think we said we wanted it back a little bit more. They had plenty of parking, so if they lost a little bit of parking space they could run the fence through that area. Again, if it was a part of the minor site plan, than what we said did not carry any relevance.

Mr. Snowden: And that is true to a point. But, the code says that they are to be a minimum of five feet back. So, if they are inside of that, it could be that they are inconsistent with the minor site plan which means staff will need to get in touch with them and they will either need to come back for the variance or change it. I will review that as soon as we are done here. That is news to me, but we can definitely look at that.

Mr. Donovan: I drove by there today.

Mr. Snowden: I believe you.

Ms. Wallace: I feel like I remember one small strip where we were allowing them to do that, on one small area because of the parking lot. Check the minutes because I really feel there was a small area where we were allowing the fence to be a lot closer to the sidewalk. I feel that is something we talked about.

Mr. Snowden: If the Board will wait, as soon as we are finished here, I will go pull the plans, and we can look at them.

Chairman Enfinger: I also so they broke ground by the Lowe's center. It is good to see that finally moving forward. Is the hotel breaking ground as well, or is that still on hold?

Mr. Snowden: Dan and I were just contacted earlier today by some representatives of the hotel group and they are going to probably be making a deal on the private side and moving forward. Approval for the site, from this body, is still valid, but they are going to need to go to Design Review Board to approve the exterior because that was not done as part of the previous approval. As far as we can tell, it seems to be moving forward.

Chairman Enfinger: How long do they have? It seems like it was a while back.

Mr. Snowden: It was about a year ago. Then they can grant six months. I will review the code as to whether that is something the Board needs to do, or I can do. I will review that.

Mr. Donovan: They are going to town over there.

Mr. Snowden: They are able to do the site work there and there is some earth moving that needed to happen anyways.

Chairman Enfinger: There is one other thing we had talked about last month.

Mr. Snowden: Dollar General?

Chairman Enfinger: Yes.

Mr. Snowden: Did you receive my email? The day after our last BZBA meeting, the applicant came in to drop of their building plans. Building has thirty days to review that per code. That review should be about complete and I will check with the Building Department tomorrow. Most of our building plan reviews take two to three weeks and that was four weeks ago so it should be done. Once Building issues the permit, they have six months. I will mark that on my calendar because we can site them for non-compliance on the zoning approval, that date. But as long as they have the building permit, I can not site them. The Board's position is this should not be flapping in the wind forever, but I have to allow them, per the Building Code to have that amount of time. I know that is a long time but that is standard for everyone. If they do not move forward when that permit expires in six months, which means they will have to submit plans for review again to Building, I will site them at that point into Mayor's Court.

Chairman Enfinger: I think we also passed something last month on conditions that the applicant would resubmit something. Does anyone else remember?

Mr. Snowden: There were several folks that needed to submit items for their Special Exceptions that were more detailed, such as the minor site plan for the Auto Direct, and that is moving forward. That is being created now. None of those have been approved by City Council yet. They would basically have six months to do that, and Staff will be marking that on a review cycle and bringing that back to you.

Chairman Enfinger: I think that the Auto Direct was what I was thinking of.

Mr. Snowden: Monday, that will be appearing on City Council.

Chairman Enfinger: One other final question and this is not official Board business, this is just curiosity. They tore down the Tumbleweed on Broad Street and that is not Reynoldsburg?

Mr. Snowden: No, that is in Columbus and I believe we found out that is a tire store.

Chairman Enfinger: one other point, I saw all the crosswalks were repaired. It looks better but I'm sad to see the pavers go. I thought they were a nice element that looked good and added character. It adds maintenance.

Mr. Snowden: It would have been nice to go with pressed concrete there.

Chairman Enfinger: I saw that the parking lot is in. And, I know there have been discussions before about the way that area is developing. Are there any further plans for things changing there, traffic flow, giving people more parking opportunities on Main Street.

Mr. Snowden: That is a really great question. I am going to let Dan field that one.

Mr. Havener: We are, as part of the improvements for Main Street, we have plans. As a matter of fact, the Service Director and I talked about that today. We have twenty-eight parking spaces that we are going to have striped out on either Main Street, Jackson, or Lancaster. Through that area. We are also looking at some additional improvements with parking lot and crosswalk signage.

Chairman Enfinger: One final thing, the Carnival Shop, how did the traffic flow on that.

Mr. Snowden: He has not submitted it yet. His drive thru conceptually was approved by City Council last week and I did talk to Mr. Fry on Monday. It is another case where the code should be helping us out. The code should be telling us what are stacking spaces are. The code should be telling us what the minimum size for those spaces should be and how many there should be. What I may do, is pull up some national zoning codes and start referencing them. I am getting frustrated because I feel like we don't have a lot of information to reference to give us any indication as to what we should be looking for. Looking at that drive thru, we were trying to decide what we really were trying to approve. It felt ok, but we didn't really have anything to back it up. I may start referencing some other codes just to give us an idea of what to be looking for. He still needs to submit that and show me and I have told him that.

#### F. ADJOURNMENT

\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Planning Administrator

# 

## MINUTES

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, OCTOBER 8, 2015 6:30 PM

**PLACE: COUNCIL CHAMBERS  
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

#### I. CALL TO ORDER

PRESENT: Linder, Donovan, Enfinger, Wallace  
ABSENT: Rettke

#### 2. APPROVAL OF AGENDA

Agenda stands approved.

#### II. PUBLIC COMMENT

#### III. MOTIONS

Vice Chairman Enfinger: The minutes of August 20th, 2015; I move we adopt the minutes as revised.

Mr. Donovan: I second.

Mr. Snowden: Before I call the role. Did anyone have any questions as to why staff was proposing to revise these minutes. The purpose was as stated in the memo, to correct the inconsistency. Very well, I will call the role.

Mr. Snowden: Mr. Donovan.

Mr. Donovan: "Yes."

Mr. Snowden: Pastor Linder.

Pastor Linder: "Yes."

Mr. Snowden: Ms. Wallace.

Ms. Wallace: "Yes."

Mr. Snowden: Chairman Enfinger.

Vice Chairman Enfinger: "Yes."

Mr. Snowden: The revised version is approved. Thank you.

Minutes Acceptance: Minutes of Oct 8, 2015 6:30 PM (APPROVAL OF MINUTES)

## A. Minutes of August 20, 2015

Minutes of August 20, 2015, corrected to show vote box under D.3. as "Failed [0 to 4]".

## 1. Board of Zoning and Building Appeals – Regular Meeting – August 20, 2015

2. **10.08.15 Special Meeting Memo to Members**

## IV. ADJOURNMENT

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Chairman

---

Planning Administrator

Minutes Acceptance: Minutes of Oct 8, 2015 6:30 PM (APPROVAL OF MINUTES)



Planning and Zoning Division  
City of Reynoldsburg  
7232 East Main Street  
Reynoldsburg, Ohio

Section 1139  
BOARD OF ZONING & BUILDING APPEALS  
APPLICATION

Application #: 171647  
Permit #:  
Date Submitted: 9/30/15  
Fee Amount: \$100.00  
☒ Paid: 165

## I. PROPERTY INFORMATION

Property Address:

8702 Firstgate Drive Reynoldsburg OH 43068

## II. PROPERTY OWNER OF RECORD

Property Owner Name(s):

Samuel Pignatelli

Contact Email:

samps11@yahoo.com

Contact Phone Number:

(614) 638-9037

## III. BUSINESS INFORMATION (IF APPLICABLE)

Business Name:

Contact Name:

Contact Phone Number:

Contact Email:

Description of Use:

## IV. APPLICANT INFORMATION

Applicant Name:

Samuel Pignatelli

Applicant Address

8702 Firstgate Drive Reynoldsburg OH 43068

Applicant Phone Number:

(614) 638-9037

Applicant Email:

samps11@yahoo.com



Property Owner



Business Owner



Contractor



Architect

## PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLY:

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

to grant a variance from Sec. 1171.06(c)(1) of the Zoning Code, to allow a fence w/ a setback of 35' from a public street.

☐ Special Exception Use (\$350):☐ Major Site Plan Review (\$500):☐ Other:

Applicant shall submit **nine (9)** copies of application and materials to the Planning Administrator. Please review the attached sections of the Zoning Code and note the items you are responsible for submitting with this application.

Applicant Signature:

Date: 9/29/15

Additional Notes:

## \*\*OFFICE USE ONLY\*\*

Zoning Information

Zoning District: R-3

☐ Historic District☐ CC Overlay

Other Board Approval

☐ DRB

BZBA Meeting

Date: 11/19

☐ Approved as Submitted☐ Approved w/ Conditions☐ Tabled☐ Denied

City Council Meeting

Date:

☐ No Action Taken☐ Approved (w/ Conditions)☐ Introduced As Ordinance☐ Denied

Clerk of Council

Initials:

Date:

Planner Initials:

Date:

# MORTGAGE LOCATION SURVEY

**TITLE COMPANY:** CHICAGO TITLE INSURANCE COMPANY  
**LENDER:** CONCORD MORTGAGE GROUP  
**BUYER:** SAMUEL P. PIGNATELLI  
**SELLER:** SUE A. DIXON  
**DATE:** 09/20/10  
**ORDER NO.:** 511-10

**LEGAL DESCRIPTION:** BEING LOT NO. 1 OF TAYLOR RIDGE  
 EAST SECTION 1, OF RECORD IN PLAT BOOK 15, PAGES 130  
 AND 131, LICKING COUNTY RECORDER'S OFFICE, CITY OF  
 REYNOLDSBURG, STATE OF OHIO.

TITLE CO. FILE NO. 30130379 PIC

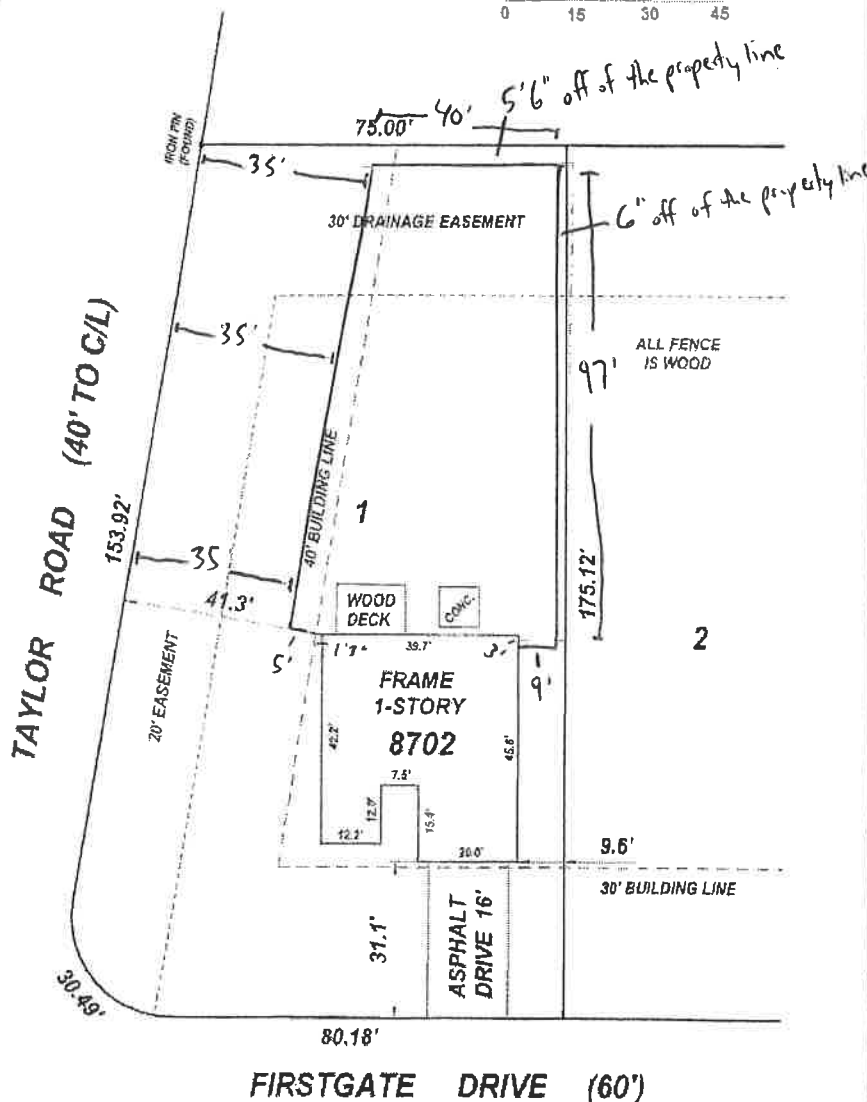


APPARENT ENCROACHMENTS: NONE.



SCALE: 1" = 30'

0 15 30 45



**ERLENBACH**  
 LAND  
 SURVEYING

635 Park Meadow Road, Suite 205  
 Westerville, Ohio 43081  
 Phone: (614)891-5888  
 Fax: (614)891-5889  
 ErlenbachSurveying@sbcglobal.net

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code and is not a boundary survey pursuant to Chapter 4733-37 Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and does not show the location of fences or landscaping. This plat is not to be used for the construction of any improvements.

By

*[Signature]*

G. Dean Erlenbach  
 Ohio Registered Surveyor No. 7272



To whom this may concern,

I am requesting to vary from this section of Code due to the unique configuration of my lot which makes it impossible to comply with the Code as written. The building line runs through the middle of my yard. If I was to put up my fence with the way the code is written now. You would look out my back door and see the fence cutting right across the yard. I respect the code that is written, which has the 40foot set back and 10 additional feet the city owns, but since the property line on one side of the house is straight and the street is at an angle, it puts my fence running at an angle to the middle of the backyard. Looking at plot lines around the neighborhood it looks like I would be, quite possibly, the only one with a building line running right across the middle of the yard. If the building line wasn't that far into the yard I wouldn't mind it, but it is really putting stress on me and my family to want and go ahead with a fence with the way the building line is right now on our yard.

In addition, I purchased this home 5years ago. Since then, I got married. We had a son who is now 2years old and a dog. We want to put a pressure treated 4ft(or 6ft) fence up for my dog to run around and my son to play. My dog has almost gotten run over by a car a handful of times and it's not safe to live here without a fence next to the busy Taylor road street. I also want to put up a swing set for my son. This house is great for my family but I want to make it safe. Right now the plot line runs in the middle of my backyard making a fence possible but not functional. I am asking for 5ft past the building line to build the fence to give my family more room to put a swing set up and give us a functional space that isn't directly in the middle of our yard. I hope you can grant this for us, it would mean a lot to me and my family.

Thank you



Sam Pignatelli

## 1) 8702 Firstgate Drive – Residential – Variance

**Application:** #171647– Variance

**Location:** Property is located on the northeast corner of Firstgate Drive and Taylor Road.

**Existing Zoning:** R-3 – Single Family Residence District

**Request:** Request for the Board to review and approve a variance from Section 1171.06(c)(1) of the Zoning Code to allow a fence with a setback of thirty-five feet (35') from a public street.

**Current Use:** Residential Dwelling

**Applicant:** Samuel Pignatelli

### **BACKGROUND INFORMATION**

#### *Proposal*

The applicant is requesting for the Board to review and approve a variance from Section 1171.06(c)(1) of the Zoning Code to allow a fence with a setback of thirty-five feet (35') from a public street in the R-3 Single Family Residence District.

#### *Existing Site & Context*

The site contains an existing single family dwelling on a platted lot, which is lot number 1 of the Taylor Woods East Section 1 subdivision. This lot is a corner lot, which means the setbacks for fences apply to both lot frontages.

### **CONSIDERATIONS**

#### *1147.05 STANDARDS FOR VARIANCE.*

*No variance in the strict application of the provisions of this Code shall be granted unless the Board makes specific findings of fact, based on the evidence presented to it, which supports conclusions that the variance conforms to the following standards. Such findings shall be stated for the record and reported in the Board's minutes.*

*(a) The variance is in accord with the general purpose and intent of the regulations imposed by this Code in the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.*

*(b) The variance will not permit the establishment of any use which is not otherwise listed as a permitted use or a special exception in the district, or which is expressly or by implication prohibited by this Code. (Note: See Chapter 1195 and Chapter 1145 for provisions regarding the replacement of non-conforming uses with other non-conforming uses.)*

*(c) There exist special circumstances or conditions, fully described in the findings, applicable to the land or structures for which the variance is sought, which are peculiar to such land or structures and which do not apply generally to land or structures in the area, and which are such that the strict application of the provisions of this Code would deprive the property owner of the reasonable use of such land or structures. There must be deprivation of beneficial use of land, as opposed to mere loss in value as justification for the variance.*

*(d) There is proof of hardship or practical difficulty created by the strict application of this Code, beyond simply a showing that greater profit will result if the variance is granted. Economic hardship is not grounds for the variance. Furthermore, the hardship complained of is not self-created nor is it established on this basis by one who purchased with or without knowledge of the restrictions. The hardship results from the application of this Code and is suffered directly by the property in question.*

*(e) The variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.*

*(f) The variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.*

*(g) The variance will not confer on the property owner any special privilege that is unduly denied by this Code to other land, structures, or buildings in the same district.*

*(h) No nonconforming use of neighboring land or structures in the same district and no permitted or nonconforming use of land or structures in other districts are considered as grounds for approval of the variance.*

*(i) The variance is not a matter of convenience when other remedies are available within the provisions of this Code.*

#### **1171.06 ACCESSORY USE, ACCESSORY STRUCTURE.**

*(c) Fences. Fences shall be permitted as accessory structures in all districts subject to the following requirements:*

*(1) No fence shall be erected closer to a right-of-way line of any street than the setback for buildings and accessory buildings established in Section 1175.06, except that a decorative fence, no higher than thirty-six inches (36") and no longer than thirty-six feet (36'), may be installed no closer than five feet (5') to a right-of-way. A decorative fence shall be of open design, not solid, as approved by the Zoning Official.*

### **STAFF REVIEW**

#### ***Lot Size & Configuration***

The lot meets the minimum size requirements for the R-3 district but since it fronts on two public streets, the regulations for corner lots apply. This has the effect of significantly reduce the area of the backyard that can be utilized for fences. Given that Taylor Road is a major arterial, and that it does not run directly north-south at this location, the requested variance is a reasonable accommodation for the fence. The requested variance would allow the applicant to utilize his yard in a manner consistent with other residential properties.

**STAFF RECOMMENDATION**

The Board should apply the standards for review of variance contained Section 1147.05 of the Zoning Code and determine if the proposed variance complies with those standards. Staff finds the requested variance in compliance with those standards and recommends approval.

**NEXT STEPS**

Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. Provided the Board approves the application, the next steps are as follows:

1. The applicant should submit for a zoning certificate. Staff will require two copies of plans showing the location of the proposed fence in conformance with this variance.



Planning and Zoning Office  
City of Reynoldsburg  
7232 East Main Street  
Reynoldsburg, Ohio

Section 1139  
**BOARD OF ZONING & BUILDING APPEALS**  
**APPLICATION**

Application #: 171741  
Permit #:  
Date Submitted: 10/7/15  
Fee Amount: \$350.00  
☐ Paid:

**I. PROPERTY INFORMATION**

Property Address: 1743 Brice Road

**II. PROPERTY OWNER OF RECORD**

Property Owner Name(s): Mason Properties  
Contact Email: tfalais@masonequitygroup.com Contact Phone Number: 614-781-1100

**III. BUSINESS INFORMATION (IF APPLICABLE)**

Business Name: Nazareth Temple Contact Name: Sharon Smith  
Contact Phone Number: 614-657-2244 Contact Email: PS235R@GMAIL.COM  
Description of Use: Church

**IV. APPLICANT INFORMATION**

Applicant Name: Sharon Smith Applicant Address: 1858 Dragan Ct. Reynoldsburg, OH 43061  
Applicant Phone Number: 614-657-2244 Applicant Email: PS235R@GMAIL.COM  
☐ Property Owner ☐ Business Owner ☐ Contractor ☐ Architect

**PROJECT INFORMATION**

**CHECK AND DESCRIBE IF APPLY:**

Variance (☐ Non-Residential (\$450) ☒ Residential (\$100): Church Semi-public Use

☐ Major/Minor Site Plan Review (\$500/\$250):

☒ Special Exception Use (\$350): Church Semi-public Use

☐ Other:

Applicant shall submit **nine (9) copies** of application and materials to the Planning Administrator. Please review the attached sections of the Zoning Code and note the items you are responsible for submitting with this application.

Applicant Signature: Sharon Smith

Date: 9-13-15

**Additional Notes:**

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

Zoning Information

Zoning District: CC

☐ Historic District

☒ CC Overlay

Other Board Approval

☐ DRB

**City Council Meeting**

Date: \_\_\_\_\_

☐ No Action Taken  
☐ Approved (w/ Conditions)  
☐ Introduced As Ordinance  
☐ Denied

**BZBA Meeting**

Date: 11/19/15

☐ Approved as Submitted  
☐ Approved w/ Conditions  
☐ Tabled  
☐ Denied

**Clerk of Council**

Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Planner Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Attachment: Application #171741 (1245 : 1743 Brice Rd.; Application #171741)

City of Reynoldsburg

To whom it may concern:

Information regarding property and use:

Property at 1743 Brice Road is being leased for the purpose of holding Church Services.

Service hours are:

Sunday Service 11:00 A.M.

Wednesday Bible Study 6:30 P.M.

Pastoral Business Open hours

- Light parking
- Number of members at this time approximately 10
- Number of chairs in sanctuary are 40
- No deliveries expected
- All renovations are done; painting, etc.
- The area is always maintained and kept clean
- Quiet services
- We add a positive atmosphere and service to the community
- We may request a sign in the future on the building) not at this time
- Membership is very low, and traffic is not expected to be obstructing
- Positive relationship with other tenants

Sharon Smith,

Administrator, NT

Sincerely,

  
Sharon Smith

Attachment: Application #171741 (1245 : 1743 Brice Rd.; Application #171741)

**Attachment: Application #171741 (1245 : 1743 Brice Rd.; Application #171741)**

CHICAGO TITLE BOY - COM

a Limited Liability Company organized and existing under the laws of the State of OHIO grants, with general warranty covenants, to MASON ASTOR CENTER, LLC, AN OHIO LIMITED LIABILITY COMPANY

for valuable consideration paid

D.2.a

whose tax-mailing addresses are: P.O. Box 2201, Westerville OH 43086

the following **REAL PROPERTY**:

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING LOTS NUMBERED 80, 81, 82, 83, 84, 85, 86, AND 87 OF IDLEWILD MANOR, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 15, PAGE 18, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, **EXCEPTING THEREFROM** 20 FEET IN WIDTH OFF THE ENTIRE EAST END OF LOTS NUMBERED 80, 81, AND 82 AND 25 FEET IN WIDTH OFF THE EAST END OF LOTS NUMBERED 83, 84, 85, 86 AND 87.

**TOGETHER WITH THE FOLLOWING:**

**PARCEL No.** 060-001177

**PROPERTY ADDRESS:** 1719-1751 BRICE RD., REYNOLDSBURG, OHIO 43068-2705

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, contained in former deeds of record for said premises, subject to all of which this conveyance is made.

Prior Instrument Reference: INSTRUMENT NUMBER 200504080065962; 200504110066265;  
200504110066266 of the Deed Records of FRANKLIN

County, Ohio.

3-D MANAGEMENT, LLC, AN OHIO LIMITED LIABILITY COMPANY

By: David H. Detmer  
DAVID H. DETMER, AUTHORIZED MEMBER

By: \_\_\_\_\_

State of OHIO }  
SS.

County of FRANKLIN }

**BE IT REMEMBERED**, That on this 19TH day of DECEMBER 2006, before me, the subscriber, a Notary Public in and for said state, personally came  
3-D MANAGEMENT, LLC, AN OHIO LIMITED LIABILITY COMPANY

By: DAVID H. DETMER, AUTHORIZED MEMBER

By:

the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be HIS voluntary act and deed, and the voluntary act and deed of said limited liability company.

**IN TESTIMONY THEREOF**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



ROBERT C. ROESCH, II ATTORNEY AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION HAS NO EXPIRATION DATE  
SECTION 147.03 R.C.

Robert C. Roesch II  
Notary Public 31809

Conveyance 1075

COUNTY, OHIO. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES.

D.2.a

BEGINNING AT A POINT WHERE THE WESTERLY RIGHT OF WAY LINE OF RADEKIN ROAD, BEING ALSO THE SOUTHEASTERLY CORNER OF SAID LOT NUMBER 88:

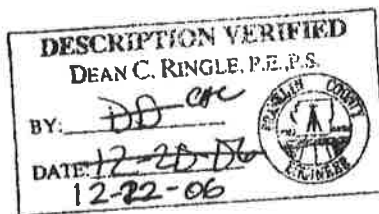
THENCE ALONG THE NORTHERLY LINE OF SAID RADEKIN ROAD, BEING ALSO THE SOUTHERLY LINE OF SAID LOT NUMBER 88, NORTH 85°34'50" WEST, 35.00 FEET TO A POINT;

THENCE NORTH 49°23'53" EAST, 14.14 FEET TO A POINT;

THENCE NORTH 04°22'28" EAST (BEING 25.00 FEET WESTERLY AT RIGHT ANGLES FROM THE EASTERLY LINE OF SAID LOT NUMBER 88) 40.00 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT NUMBER 88, BEING ALSO THE SOUTHERLY LINE OF LOT NUMBER 87 OF SAID SUBDIVISION;

THENCE ALONG THE SAID LINE, SOUTH 85°34'50" EAST, 25.00 FEET TO A POINT AT THE NORTHEASTERLY CORNER OF SAID LOT NUMBER 88;

THENCE ALONG THE EASTERLY LINE OF SAID LOT NUMBER 88, BEING ALSO THE WESTERLY LINE OF BRICE ROAD, SOUTH 04°22'28" WEST, 50.00 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.030 ACRE, MORE OR LESS.



N-106  
all of  
(D60)  
1177

Attachment: Application #171741 (1245 : 1743 Brice Rd.; Application #171741)

## 2) 1743 Brice Road – Nazareth Temple– Special Exception Use Permit

|                         |                                                                                                                                                           |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application:</b>     | <b>#171741– Special Exception Use Permit</b>                                                                                                              |
| <b>Location:</b>        | Property is located on the west side of Brice Road between Astor Ave and Radekin Road.                                                                    |
| <b>Existing Zoning:</b> | CC – Community Commerce District / CCO – Community Commercial Overlay                                                                                     |
| <b>Request:</b>         | Request for the Board to review and approve a special exception use permit for a new semi-public use in the CC – Community Commerce District of the City. |
| <b>Current Use:</b>     | Semi-public Use                                                                                                                                           |
| <b>Applicant:</b>       | Sharon Smith                                                                                                                                              |

### **BACKGROUND INFORMATION**

#### *Proposal*

The applicant is requesting the Board to review and approve a special exception use permit for a new semi-public within an existing multi-tenant commercial building in the CC – Community Commerce District and CCO – Community Commercial Overlay District of the City. The proposed semi-public use is the worship space for a church.

#### *Existing Site & Context*

The site is located on the west side of Brice Road between Astor Ave and Radekin Road. The site contains an existing multi-tenant commercial building, associated parking and other improvements.

Adjacent uses include commercial businesses in the CC – Community Commerce, including retail sales, professional activities/office and personal services uses. All adjacent properties that front Brice Road are in the Community Commercial Overlay District. To the west, the property abuts single family dwellings in the City of Columbus.

### **CONSIDERATIONS**

#### *1145.09 STANDARDS AND REQUIREMENTS FOR ALL SPECIAL EXCEPTIONS.*

*In review of a special exception application, the Board shall consider whether the application is complete and whether it provides adequate evidence that the proposed special exception is consistent with the following standards:*

- (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

- (b) *The proposed use shall not adversely affect the use of adjacent property;*
  - (c) *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*
  - (d) *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;*
  - (e) *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*
  - (f) *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*
  - (g) *The proposed use complies with the applicable specific provisions and standards of this Code;*
  - (h) *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.*
- (Ord. 114-99. Passed 9-13-99.)

#### 1145.06 CONDITIONS OF APPROVAL.

*In approving a special exception, the Board may impose such conditions as it deems necessary to protect the public welfare, preserve the purpose and intent of this ordinance, to protect the character of the surrounding properties and neighborhood affected by the proposed use, and to mitigate the special impacts of the use. Such conditions may include, but shall not be limited to:*

- (a) *Locations, setbacks, and configurations of structures and of uses of interior and exterior space*
- (b) *Screening comprised of landscaping, walls, fencing or other materials or construction;*
- (c) *Access points and traffic management provisions, including those impacting vehicular and pedestrian access, and the locations and design of parking facilities;*
- (d) *Noise control measures, including those regulating loudspeakers or irregular vehicular or equipment noise;*
- (e) *Other features of construction, including but not limited to paving and parking, signs, and landscaping;*
- (f) *Hours and method of operation;*
- (g) *Maintenance of the site, structures, and landscaping;*
- (h) *Means of controlling glare, vibration, odors, dust, smoke, hazardous materials, refuse matter, water-carried waste, and storm water;*
- (i) *A time limit for operation of the use, if temporary operation is determined to be a typical characteristic of the proposed use or otherwise appropriate given unique circumstances of the proposed use.*

(Ord. 114-99. Passed 9-13-99)

## STAFF REVIEW

### *Parking*

The applicant stated that the church membership is about 10 persons, and space provides seating for about 40 worshippers. The parking requirement for a place of worship is 1 space for every 4

seats in the main worship space, which would mean the applicant would need to provide 10 parking spaces. Staff has calculated that the entire site provides over 90 spaces. In addition, the applicant's Sunday worship service takes place at a time when many other businesses in the space are closed. Staff is comfortable that there is adequate parking.

### ***STAFF RECOMMENDATION***

The Board should apply the standards for review of special exceptions contained in Section 1145.09 of the Zoning Code and determine if the proposed special exception complies with those standards. Staff finds the proposed special exception in compliance with those standards and recommends approval of the special exception use permit.

### ***NEXT STEPS***

Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. Provided the Board approves the application, the next steps are as follows:

1. This application will be forwarded to City Council. The Clerk of Council will contact the applicant when the Council elects to hold additional hearings.
1. The applicant should submit for a zoning certificate. Staff will require two copies of a site plan showing the location of the proposed use in.
2. Once a zoning certificate is secured, the applicant will need to contact the Building Division at 614-322-6802 to submit plans for building occupancy and to complete the required inspections.

Per section 1145 of the Zoning Code, Staff will review this permit approval in 6 months to confirm compliance and report those findings to the Board. If the applicant has not complied with all conditions of their approval and completed all the required steps to open the business/use, the special exception use permit can be revoked by the Board.

Application #: 171885  
Permit #:  
Date Submitted: 10/21/15  
Fee Amount: \$35000  
☒ Paid: 727644

Section 1139  
**BOARD OF ZONING & BUILDING APPEALS**  
**APPLICATION**

|                                                                                                                                                                                                                                               |                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <b>I. PROPERTY INFORMATION</b>                                                                                                                                                                                                                |                                                                                    |
| Property Address: <u>6324 E. LIVINGSTON AVENUE</u><br><u>REYNOLDSBURG, OHIO, 43068</u>                                                                                                                                                        |                                                                                    |
| <b>II. PROPERTY OWNER OF RECORD</b>                                                                                                                                                                                                           |                                                                                    |
| Property Owner Name(s): <u>IMPALA CAPITAL LLC</u>                                                                                                                                                                                             |                                                                                    |
| Contact Email: <u>laptop@gmail.com</u>                                                                                                                                                                                                        | Contact Phone Number: <u>(408) 469-5999</u>                                        |
| <b>III. BUSINESS INFORMATION (IF APPLICABLE)</b>                                                                                                                                                                                              |                                                                                    |
| Business Name: <u>NEXT GENERATION CHILD CARE</u>                                                                                                                                                                                              | Contact Name: <u>AUGUSTINE KRUKRUBO</u>                                            |
| Contact Phone Number: <u>(614) 515-7022</u>                                                                                                                                                                                                   | Contact Email: <u>akrukru80@yahoo.com</u>                                          |
| Description of Use: <u>CHILD CARE CENTER</u>                                                                                                                                                                                                  |                                                                                    |
| <b>IV. APPLICANT INFORMATION</b>                                                                                                                                                                                                              |                                                                                    |
| Applicant Name: <u>NEXT GENERATION CHILD CARE LLC</u><br><u>TONY KRUKRUBO</u>                                                                                                                                                                 | Applicant Address: <u>7674 HOWELL PARK DR., PICKERINGTON, OHIO</u><br><u>43147</u> |
| Applicant Phone Number: <u>(614) 515-7013</u>                                                                                                                                                                                                 | Applicant Email: <u>info@nextgenerationchildren.com</u>                            |
| <input type="checkbox"/> Property Owner                                                                                                                                                                                                       | <input checked="" type="checkbox"/> Business Owner                                 |
| <input type="checkbox"/> Contractor                                                                                                                                                                                                           | <input type="checkbox"/> Architect                                                 |
| <b>PROJECT INFORMATION</b>                                                                                                                                                                                                                    |                                                                                    |
| CHECK AND DESCRIBE IF APPLY:                                                                                                                                                                                                                  |                                                                                    |
| Variance ( <input type="checkbox"/> Non-Residential (\$450) / <input type="checkbox"/> Residential (\$100)): _____                                                                                                                            |                                                                                    |
| _____                                                                                                                                                                                                                                         |                                                                                    |
| _____                                                                                                                                                                                                                                         |                                                                                    |
| <input type="checkbox"/> Major/Minor Site Plan Review (\$500/\$250): _____                                                                                                                                                                    |                                                                                    |
| <input checked="" type="checkbox"/> Special Exception Use (\$350): <u>child-care center</u>                                                                                                                                                   |                                                                                    |
| <input type="checkbox"/> Other: _____                                                                                                                                                                                                         |                                                                                    |
| Applicant shall submit <b>nine (9) copies</b> of application and materials to the Planning Administrator. Please review the attached sections of the Zoning Code and note the items you are responsible for submitting with this application. |                                                                                    |
| Applicant Signature: <u>[Signature]</u>                                                                                                                                                                                                       | Date: <u>10/21/15</u>                                                              |

|                                                   |                                                                                   |                                                 |
|---------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------|
| Additional Notes:                                 | <b>**OFFICE USE ONLY**</b>                                                        |                                                 |
|                                                   | <u>Zoning Information</u>                                                         |                                                 |
|                                                   | Zoning District: <u>CC</u>                                                        |                                                 |
|                                                   | <input type="checkbox"/> Historic District<br><input type="checkbox"/> CC Overlay |                                                 |
| <u>Other Board Approval</u>                       |                                                                                   | <input type="checkbox"/> DRB                    |
| City Council Meeting                              |                                                                                   | BZBA Meeting                                    |
| Date: _____                                       |                                                                                   | Date: <u>11/19/15</u>                           |
| <input type="checkbox"/> No Action Taken          |                                                                                   | <input type="checkbox"/> Approved as Submitted  |
| <input type="checkbox"/> Approved (w/ Conditions) |                                                                                   | <input type="checkbox"/> Approved w/ Conditions |
| <input type="checkbox"/> Introduced As Ordinance  |                                                                                   | <input type="checkbox"/> Tabled                 |
| <input type="checkbox"/> Denied                   |                                                                                   | <input type="checkbox"/> Denied                 |
| Clerk of Council                                  |                                                                                   |                                                 |
| Initials: _____ Date: _____                       |                                                                                   |                                                 |
| Planner Initials: _____ Date: _____               |                                                                                   |                                                 |

**ATTACHMENT: APPLICATION FOR SPECIAL EXCEPTION USE PERMIT [SECTION 1145]**

**Application for:**  
**NEXT GENERATION CHILDCARE**  
**6324 E. Livingston Avenue**  
**Reynoldsburg, Ohio, 43068**

1. Current use of the lot and adjacent lot include;
  - (a) **BIG LOTS** – a discount retail store, with product assortments in food, consumables, furniture & home décor, electronics and accessories, etc.,
  - (b) **SAVE-A-LOT** (coming soon) – a discount groceries store,
  - (c) **KINGDOM GOSPEL MINISTRIES INT’L.** – a place of religious worship,
  - (d) **OHIO COSMO BEAUTY ACADEMY** – a training institute for hair and beauty cosmetologists,
  - (e) **BINGO** – an outfit where bingo games are played, and
  - (f) **FAMILY DOLLAR** (on adjacent lot) – a neighborhood discount retail store, with product offerings in; food & beverages, household products, family apparel, personal care & beauty, baby care, etc.
2. This “**Special Exception Use Permit Application**” is to secure the approval to operate a Child Care business for infants, toddlers, preschoolers and school- aged children in a decent childcare setting, giving their parents the needed peace of mind while at work or school or both.

It is anticipated that this business shall have between six (6) to nine (9) teachers in its payroll, depending on the number of children enrolled at the Center at any point in time. Besides teachers, an administrator and a cleaner shall also be employed. The number of employees at this center will always be structured to meet all age-appropriate student/teacher ratios prescribed by the State of Ohio. The following are examples;

- 1 teacher – 6 infants / 2 teachers – 12 infants
- 1 teacher – 7 toddlers / 2 teachers – 14 infants
- 1 teacher – 8 preschoolers / 2 teachers – 16 preschoolers
- 1 teacher – 12 school aged kids.

3. The business shall essentially be doing only minor construction of approximately 3-foot high partitions to separate the various age groups, and an additional toilet, food-prep room, storage rooms, and administrative offices within the internal space of the property. A fence covering a space of about 1,200 square feet shall also be constructed at the back of the building for the **PLAY AREA** of the Child Care. A **Preliminary drawing** of the floor plan of the Child Care is attached herewith as **Attachment 1**. Detailed drawings of the Child Care and the Play Area shall be submitted for **Building Permit** approval, prior to construction.

4. The childcare center proposed for this property is perfectly compatible with the business uses of adjacent and adjoining lots as detailed in item 1 above.

This Child Care Center, as is the case with other Child Care Centers, will not create noise, glare, odor, fumes, vibration or storm water. The large and properly paved parking lot of this property is very conveniently located with easy ingress and egress to both E. Livingston Avenue and Brice Road. The childcare center has no prospect of creating traffic circulation problems.

5. A narrative addressing each of the applicable criteria set forth in **section 1145.03**, is herewith included as **Attachment 2**.

**APPLICABLE CRITERIA SET FORTH IN SECTION 1145.03**

**Application for:**  
**NEXT GENERATION CHILD CARE**  
**6324 E. Livingston Avenue**  
**Reynoldsburg, Ohio, 43068**

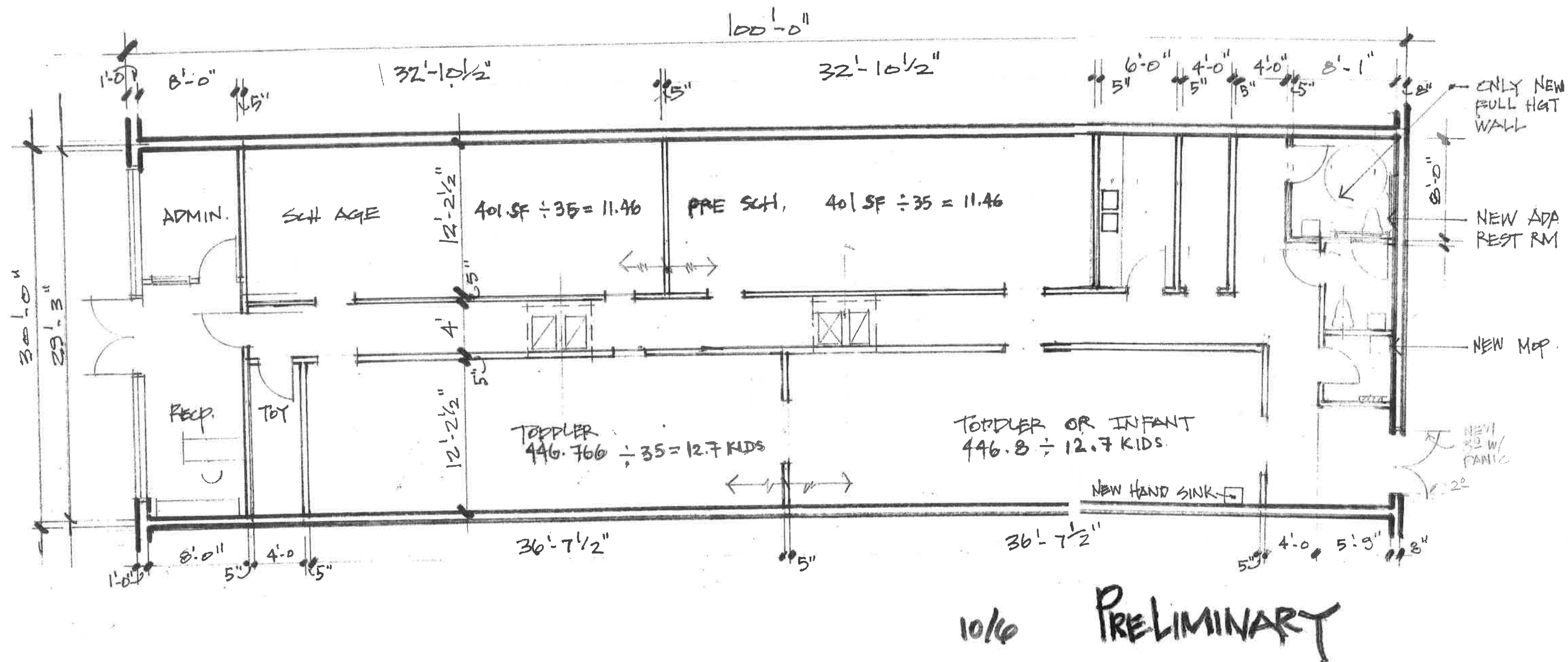
**GENERAL STANDARDS FOR CONDITIONAL USES**

- A.** The use of the proposed location as a Child Care Center shall be in accordance with the general objectives of the Zoning Ordinance, as follows;
- The services of the Child Care Center to kids shall promote the morals, comfort, safety and general welfare of the community.
  - The proposed use shall enhance the value of the property, (1) by the improvements the proposed construction shall add to the value of the property, and (ii) by abating the on-going loss of rental income to the property owner.
  - The proposed use shall facilitate the provision of a learning facility to children of families in the community.
  - The proposed use shall provide care and safety to children; such as to provide peace of mind to parents while at work or school.
  - The proposed use shall lessen congestion on public streets and highways, in that kids will be in the care of the Center and off the streets, while their parents are away at work or school.
  - The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located.
- B.** All construction at the proposed property shall be undertaken by competent and licensed contractors who are registered with the City of Reynoldsburg, so as to ensure that the construction work is harmonious and appropriate in structure and appearance with the existing or intended character of the general vicinity. Besides the need to accomplish the harmony of the construction of this project to the satisfaction of the City

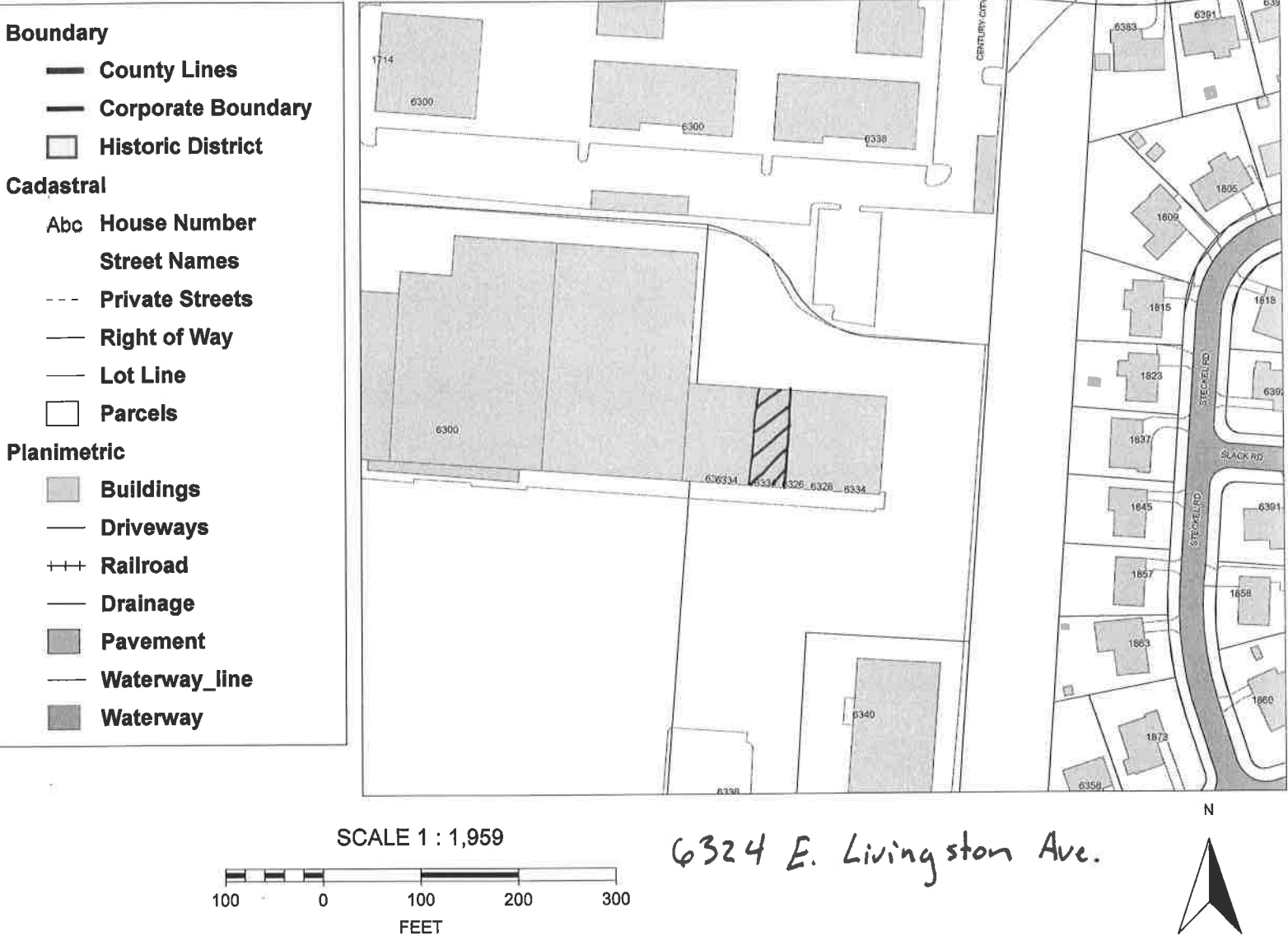
of Reynoldsburg, the applicant is contractually bound by the lease agreement also, to do same.

- C. **NEXT GENERATION CHILD CARE** shall offer regular and routine child care services, with no hazardous or disturbing aspects to either the children of the Center or the neighbors. This Center, like every other Child Care Center in the State of Ohio, is under the strict regulatory control of the **Ohio Revised Code (ORC 5104)**, and enforced by the **Ohio Department of Job & Family Services (ODJFS)**, which has zero tolerance for the use of hazardous chemicals or materials in a child care environment.
- D. Livingston Avenue is one of the major roads of the City of Reynoldsburg. Because this road strategically runs East and West, linking other major roads like Brice Road, State Rt. 256 and Hamilton Road, and also links the cities of Pickerington and Columbus, it houses several businesses which generate substantial tax revenue to the City. For this reason, Livingston Avenue is one of the most planned roads by the City, and is adequately served by public facilities such as; feeder roads, bus routes/stops, fire protection units, law enforcement, storm water facilities, water, sanitary sewer, and schools. Therefore, the proposed childcare center to be located at 6324 E. Livingston Avenue, shall be derivatively served by adequate public facilities.
- E. For the reasons enumerated under item A above, the employment opportunities the proposed business shall offer citizens within the neighborhood, and the tax revenues the City of Reynoldsburg shall derive from both the business and its employees, **NEXT GENERATION CHILD CARE** shall not be detrimental to the economic welfare of the community.
- F. By the nature of our services as a Child Care Center, our operations do not entail the production of excessive traffic, noise, smoke, fumes, glare or odors. Our regulations under **ORC 5104**, as enforced by the Ohio Department of Job & Family Services, will allow none of these. Therefore, our business operations do not involve uses, activities, materials, equipment, and/or conditions that will be detrimental to any persons, property or the general public.

6324 E. LIVINGSTON AVENUE, COLUMBUS, OHIO, 43068



Map1



Attachment: Application #171885 (1246 : 6324 E. Livingston Ave.; Application# 171885)

**CITY OF REYNOLDSBURG**  
Department of Development  
7232 East Main Street  
Reynoldsburg, Ohio, 43068

**NEXT GENERATION CHILD CARE**  
7674 Howell Park Drive  
Pickerington, Ohio, 43147

**November 16, 2015.**

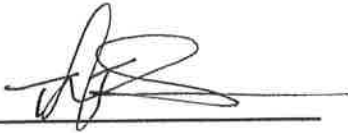
**ATTN: Eric Snowden – Planning Administrator**

**RE: Application # 171885 – SPECIAL EXCEPTION USE PERMIT; 6324 E. LIVINGSTON AVENUE**

Further to the referenced matter, we forward herewith, preliminary drawings of the Play Area for the proposed Child Care; showing the location, size, and materials for construction.

Upon your approval, full and complete drawings shall be submitted for Building Plan approval.

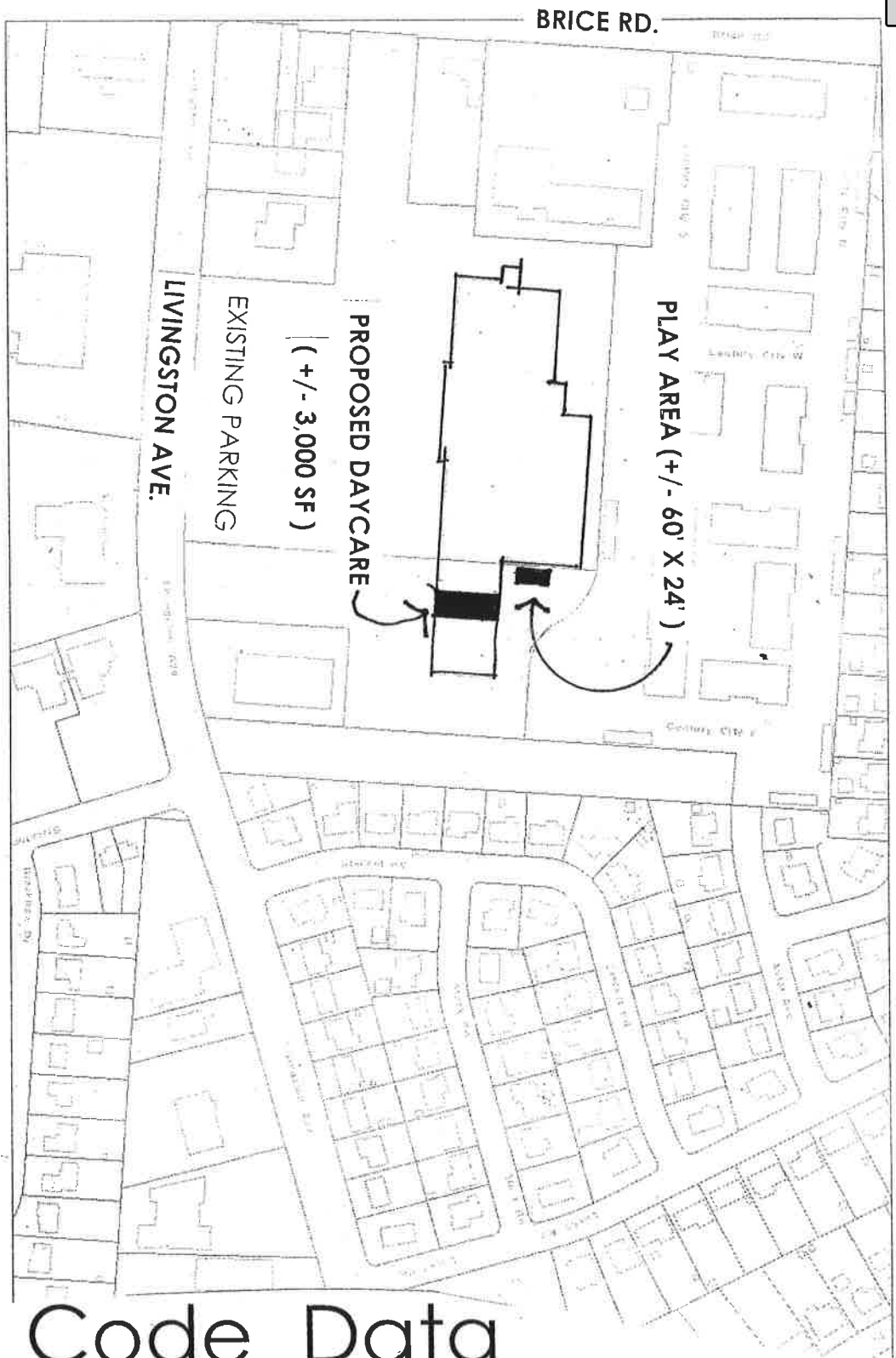
Thank you for the anticipated favorable consideration



**Tonye T. Krukrubo – CEO**  
**Next Generation Child Care**

Attachment: Supplement to Application #171885 (1246 : 6324 E. Livingston Ave.; Application# 171885)

## Franklin County Auditors Office



## Code Data

2011 O.B.C., O.M.C., O.P.C., AND N.E.C. LATEST ARTICLE'S AND EDITIONS  
PREVIOUS USE

### PROPOSED USE (E)

### CHANGE OF USE (YES)

THIS BUILDING IS **NOT** SPRINKLERED • PROTECTED BY (3HR.) CMU FIRE  
SEPERATION WALLS .

CONSTRUCTION TYPE ( II-B ) NON - COMBUSTIBULE

AREA OF PROJECT +/- 3,000 sf

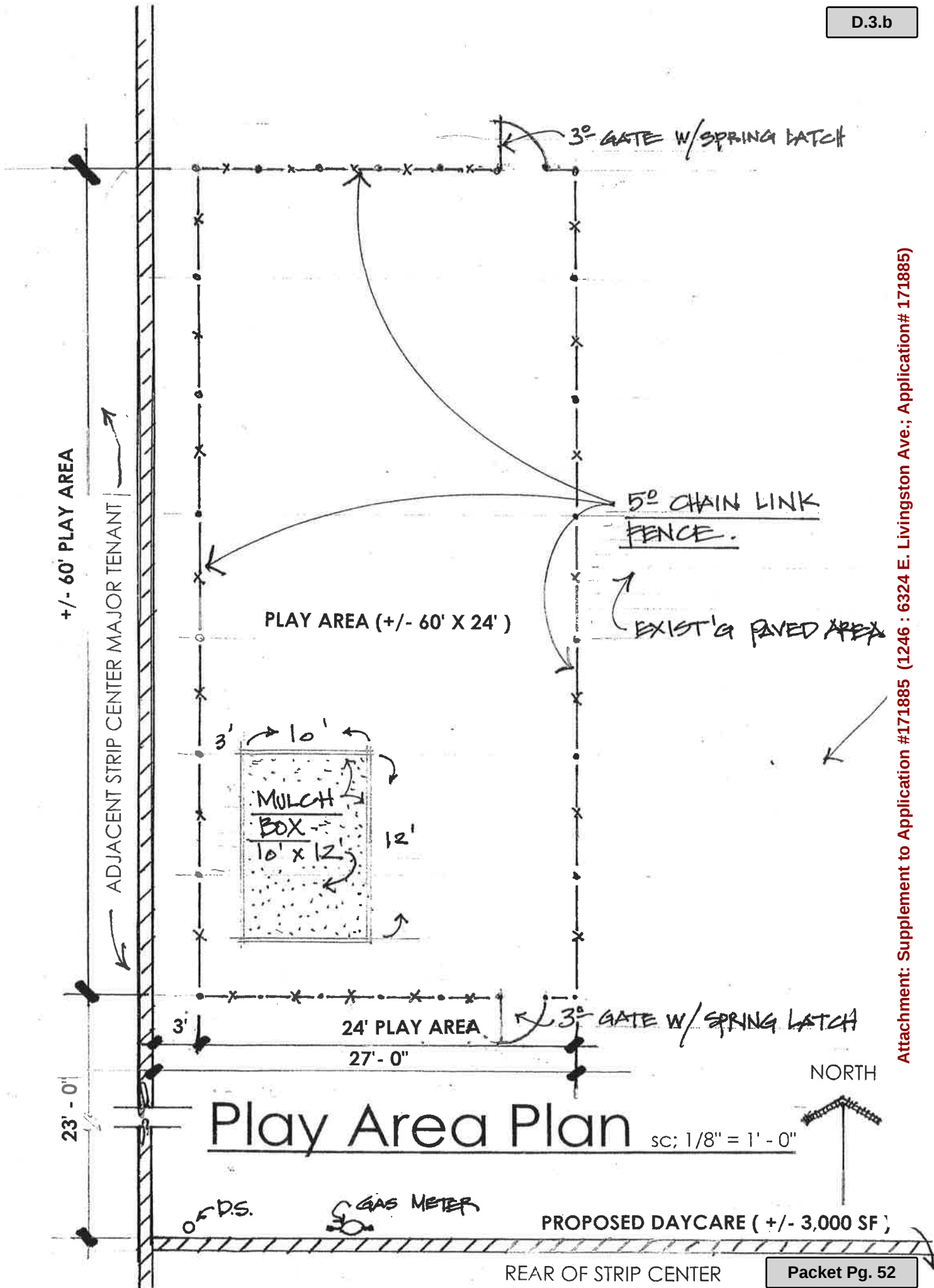
## Site Location Plan

SC: 1" = 2,792 ft.

Proposed Daycare (+/- 3,000 s.f. ) and  
Play Area (+/- 60' X 24' )

FEWA  
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp.,  
NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),  
MapmyIndia, © OpenStreetMap contributors, and the GIS User  
Community

Franklin County Auditors Office  
Copyright 2015



### 3) 6324 E. Livingston Avenue – Next Generation Childcare Center – Special Exception Use Permit

**Application:** #171885 – Special Exception Use Permit

**Location:** Property is located on the north side Livingston Ave. just east of Brice Road.

**Existing Zoning:** CC – Community Commerce District / CCO – Community Commercial Overlay

**Request:** Request for the Board to review and approve a special exception use permit for a childcare center in the CC – Community Commerce District of the City.

**Current Use:** Vacant Space

**Applicant:** Tonye Krukrubo

#### **BACKGROUND INFORMATION**

##### *Proposal*

The applicant is requesting the Board to review and approve a special exception use permit for a childcare center in the CC – Community Commerce District of the City. The applicant currently operates a childcare center located on Brice Road between Astor Ave and Radekin Road.

##### *Existing Site & Context*

The site is located on the north side Livingston Ave. just east of Brice Road and consists of a multi-tenant commercial building and related improvements.

Adjacent uses include commercial businesses in the CC – Community Commerce District. Along the north, the property abuts multi-family dwellings in the AR-3 district of the City. Along the east side, the property abuts a vacant lot.

#### **CONSIDERATIONS**

##### *1145.09 STANDARDS AND REQUIREMENTS FOR ALL SPECIAL EXCEPTIONS.*

*In review of a special exception application, the Board shall consider whether the application is complete and whether it provides adequate evidence that the proposed special exception is consistent with the following standards:*

- (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*
- (b) The proposed use shall not adversely affect the use of adjacent property;*

- (c) *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*
- (d) *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;*
- (e) *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*
- (f) *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*
- (g) *The proposed use complies with the applicable specific provisions and standards of this Code;*
- (h) *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.*

(Ord. 114-99. Passed 9-13-99.)

#### 1145.06 CONDITIONS OF APPROVAL.

*In approving a special exception, the Board may impose such conditions as it deems necessary to protect the public welfare, preserve the purpose and intent of this ordinance, to protect the character of the surrounding properties and neighborhood affected by the proposed use, and to mitigate the special impacts of the use. Such conditions may include, but shall not be limited to:*

- (a) *Locations, setbacks, and configurations of structures and of uses of interior and exterior space*
- (b) *Screening comprised of landscaping, walls, fencing or other materials or construction;*
- (c) *Access points and traffic management provisions, including those impacting vehicular and pedestrian access, and the locations and design of parking facilities;*
- (d) *Noise control measures, including those regulating loudspeakers or irregular vehicular or equipment noise;*
- (e) *Other features of construction, including but not limited to paving and parking, signs, and landscaping;*
- (f) *Hours and method of operation;*
- (g) *Maintenance of the site, structures, and landscaping;*
- (h) *Means of controlling glare, vibration, odors, dust, smoke, hazardous materials, refuse matter, water-carried waste, and storm water;*
- (i) *A time limit for operation of the use, if temporary operation is determined to be a typical characteristic of the proposed use or otherwise appropriate given unique circumstances of the proposed use.*

(Ord. 114-99. Passed 9-13-99)

## STAFF REVIEW

### Background

The applicant is proposing to relocate their existing childcare center located on Brice Road to a new location and expand their operation.

### Parking

#### Parking Requirements:

- *Total Existing Parking Spaces: +/- 120 spaces*
- *Proposed Childcare Center – Parking Study*
  - *Reynoldsburg Zoning Code does not contain parking standards for childcare centers. The ratios above are from the Franklin County Zoning Code, and should be used as a reference, not enforceable Code.*
    - *1 space /employee (8 employees) = 8 spaces*
    - *2 space /classroom (4 classrooms) = 16 spaces*
  - *APA Urban Design Standards recommends .35 spaces / licensed inhabitant*
    - *0.35/20 licensed inhabitants= 57 spaces*
  - *Adjacent Tenant Spaces*
    - *1 space / 200 sf of store area (17,000 sf) = 85 spaces*

Significant amounts of traffic are generated by potential retail businesses on site, particularly around peak hours in the mornings and evenings. Because childcare facilities have the same peak hours, the pick-up and drop-off of children could be a safety hazard when occurring near high volumes of traffic. Regardless, even a stand-alone facility will have some conflict points between pedestrians and vehicles. Staff would just like the Board to consider if there is any drop-off configuration they would consider to be more desirable: ex., front or rear of the building, adjacent to building entrance, etc.

### Play Area

The State Dept. of Job and Family Services, which oversees these types of facilities, requires that childcare establishments provide a suitable play area for children. The applicant submitted an addendum to their original application, showing where they are proposing to construct an outdoor play area. The proposed play-area is located behind the main structure and is partially screened by the larger building immediately to the west of the subject parcel. Staff has concerns that heavy truck traffic will be a potential safety concern for the children and suggests that the Board require bollards to be installed to protect the fence from damage by vehicles and increase visibility in the event the Board chooses to approve the permit. In addition, the noise and odor from the loading zone and trash area does not create a safe or comfortable environment for an outdoor play area. In order to reduce this conflict, Staff suggests that the property owner prohibit day-time loading/unloading and vehicle idling at the neighboring tenant spaces. Staff suggests the Board require that all trash-disposal containers be relocated at least 20 linear feet away from the proposed play area. Staff would also like to point out that the Board could require all dumpsters or ground mounted service structures at the rear of the structure to be screened or relocated to one central area in order to be significantly removed from the play area.

Generally speaking, conditions at the rear of this building not significantly different than the rear areas of many multi-tenant buildings. The only significant differences are that the applicant is proposing to place the area adjacent to the deeper building to the west, and that the rear of the structure is adjacent to multi-family dwellings.

*Character*

Staff 's position is that childcare centers within multi-tenant commercial buildings generally do not maintain the character of the commercial zoning districts, sometimes have negative impacts on surrounding businesses and lots, and could present a potential safety hazard for the children attending the center.

**STAFF RECOMMENDATION**

The Board should apply the standards for review of special exceptions contained Section 1145.09 of the Zoning Code and determine if the proposed special exception complies with those standards. Staff finds the proposed special exception in compliance with those standards and recommends approval of the special exception use permit.

**NEXT STEPS**

Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. Provided the Board approves the application, the next steps are as follows:

1. This application will be forwarded to City Council. The Clerk of Council will contact the applicant when the Council elects to hold an additional hearing.
2. The applicant should submit for a zoning certificate. Staff will require two copies of a site plans showing the location of the proposed use in.
3. Once a zoning certificate is secured, the applicant will need to contact the Building Division at 614-322-6802 to submit plans for building occupancy and to complete the required inspections.

Per section 1145 of the Zoning Code, Staff will review this permit approval in 6 months to confirm compliance and report those findings to the Board. If the applicant has not complied with all conditions of their approval and completed all the required steps to open the business/use, the special exception use permit can be revoked by the Board.

Section 1139  
BOARD OF ZONING & BUILDING APPEALS  
APPLICATION

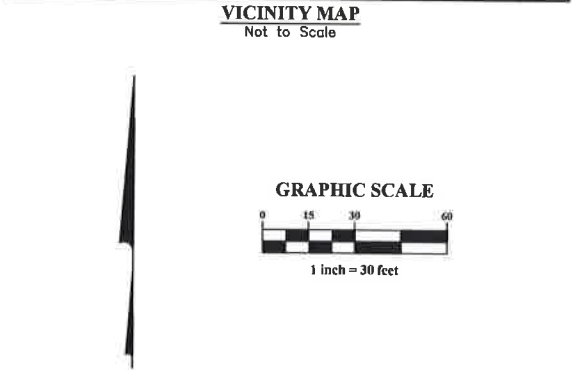
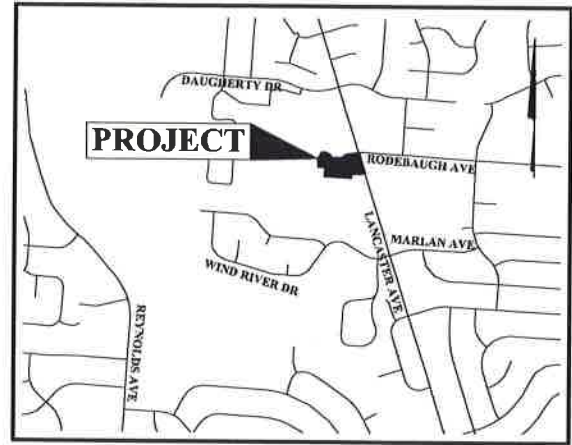
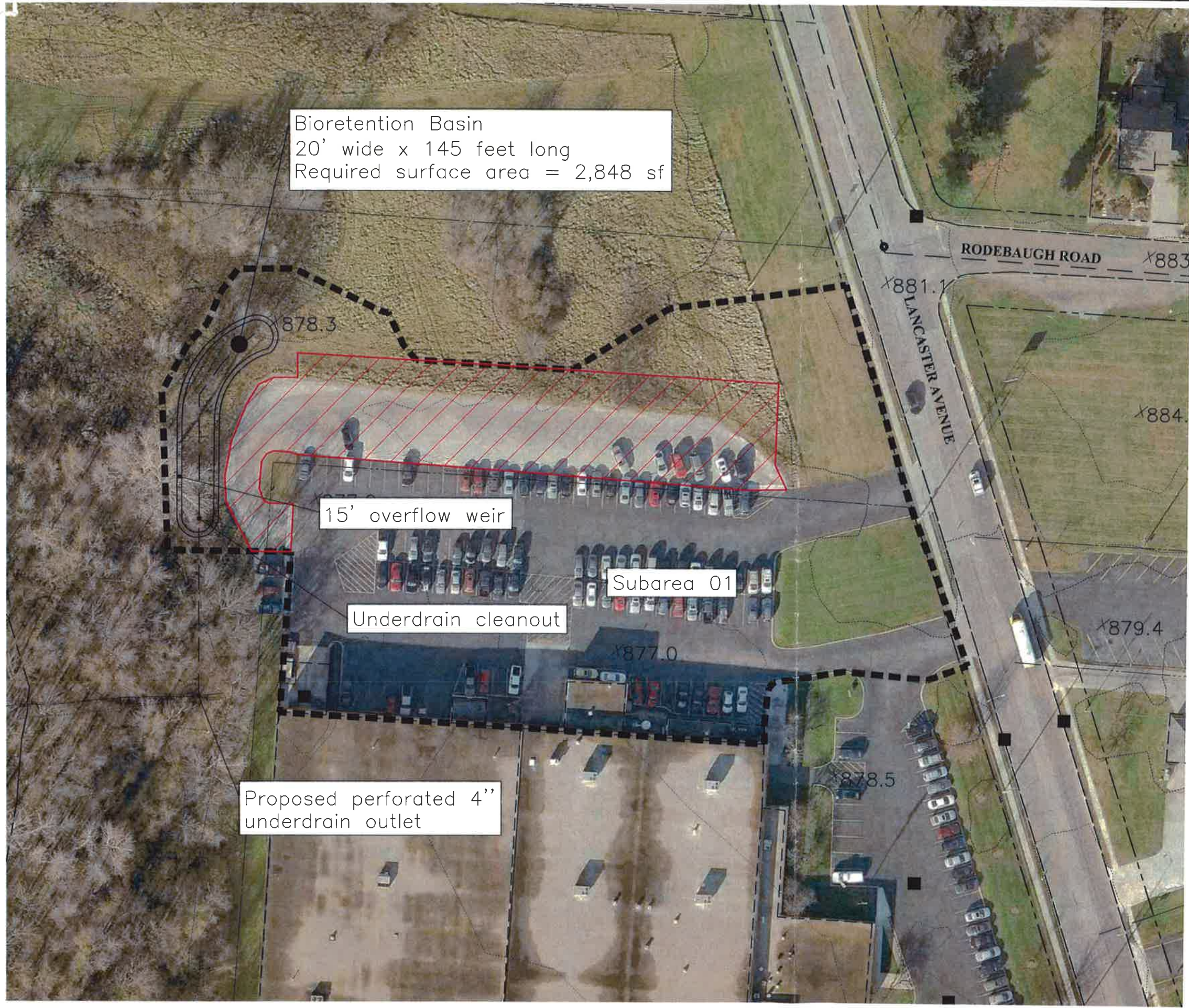
Application #: 171986  
Permit #:  
Date Submitted: 10/28/15  
Fee Amount: \$500.00  
☒ Paid: 118036

|                                                                                                                                                                                                                                                                                                                                                                                 |                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>I. PROPERTY INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                  |                                                                      |
| Property Address:<br>555 Lancaster Avenue, Reynoldsburg, Ohio 43068                                                                                                                                                                                                                                                                                                             |                                                                      |
| <b>II. PROPERTY OWNER OF RECORD</b>                                                                                                                                                                                                                                                                                                                                             |                                                                      |
| Property Owner Name(s):<br>Dynalab, Inc.                                                                                                                                                                                                                                                                                                                                        |                                                                      |
| Contact Email:<br>fcarlo@dynalab-inc.com                                                                                                                                                                                                                                                                                                                                        | Contact Phone Number:<br>614-729-6161                                |
| <b>III. BUSINESS INFORMATION (IF APPLICABLE)</b>                                                                                                                                                                                                                                                                                                                                |                                                                      |
| Business Name:<br>Dynalab, Inc.                                                                                                                                                                                                                                                                                                                                                 | Contact Name:<br>Frank D. Carlo                                      |
| Contact Phone Number:<br>614-729-6161                                                                                                                                                                                                                                                                                                                                           | Contact Email:<br>fcarlo@dynalab-inc.com                             |
| Description of Use:<br>Manufacturing                                                                                                                                                                                                                                                                                                                                            |                                                                      |
| <b>IV. APPLICANT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                |                                                                      |
| Applicant Name:<br>Frank D. Carlo                                                                                                                                                                                                                                                                                                                                               | Applicant Address:<br>555 Lancaster Avenue, Reynoldsburg, Ohio 43068 |
| Applicant Phone Number:<br>614-729-6161                                                                                                                                                                                                                                                                                                                                         | Applicant Email:<br>fcarlo@dynalab-inc.com                           |
| <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Business Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Architect                                                                                                                                                                                                               |                                                                      |
| <b>PROJECT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                      |                                                                      |
| CHECK AND DESCRIBE IF APPLY:<br>Variance ( <input type="checkbox"/> Non-Residential (\$450) / <input type="checkbox"/> Residential (\$100) ): _____<br>_____<br>_____<br><input type="checkbox"/> Special Exception Use (\$350): _____<br><input checked="" type="checkbox"/> Major Site Plan Review (\$500): <u>parking expansion</u><br><input type="checkbox"/> Other: _____ |                                                                      |
| Applicant shall submit <b>nine (9) copies</b> of application and materials to the Planning Administrator. Please review the attached sections of the Zoning Code and note the items you are responsible for submitting with this application.                                                                                                                                   |                                                                      |

Applicant Signature: Frank D. Carlo AGENT FOR DYNALAB Date: 10/28/15

|                   |                                                                                                                                               |                                                                                                                                                                                                                                    |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Additional Notes: | <b>**OFFICE USE ONLY**</b>                                                                                                                    |                                                                                                                                                                                                                                    |
|                   | <u>Zoning Information</u><br>Zoning District: <u>G-1</u><br><input type="checkbox"/> Historic District<br><input type="checkbox"/> CC Overlay | <u>BZBA Meeting</u><br>Date: <u>11/19/15</u><br><input type="checkbox"/> Approved as Submitted<br><input type="checkbox"/> Approved w/ Conditions<br><input type="checkbox"/> Tabled<br><input type="checkbox"/> Denied            |
|                   | <u>Other Board Approval</u><br><input type="checkbox"/> DRB                                                                                   | <u>City Council Meeting</u><br>Date: _____<br><input type="checkbox"/> No Action Taken<br><input type="checkbox"/> Approved (w/ Conditions)<br><input type="checkbox"/> Introduced As Ordinance<br><input type="checkbox"/> Denied |
|                   | Clerk of Council<br>Initials: _____ Date: _____<br>Planner Initials: _____ Date: _____                                                        |                                                                                                                                                                                                                                    |

J:\20150179\Report\Stormwater\DWG\PG05.dwg Last Saved By: matchschulte, 10/22/2015 1:05 PM Last Printed By: Stechschulte, Matthew, 10/22/2015 1:06 PM



Subarea 01  
Area= 2.41 acres  
RCN= 91  
TC= 0.083 hrs

**Legend**  
Tributary Boundary  
Proposed Parking Lot Expansion  
0.487 acres additional impervious area

**Soil Classification**  
CaB - Cardington silt loam      Type "C" Soils

**Critical Storm Calculation**  
1-year pre-developed runoff volume = 0.238 ac-ft  
1-year post-developed runoff volume = 0.267 ac-ft  
% Increase =  $(0.267 - 0.238) / 0.238 \times 100 = 12.18\%$   
2-year critical storm

| PROPOSED PEAK FLOW RATES |                                           |                                     |                                                             |
|--------------------------|-------------------------------------------|-------------------------------------|-------------------------------------------------------------|
| STORM                    | PRE-DEVELOPED<br>PEAK FLOW RATES<br>(CFS) | ALLOWABLE<br>RELEASE RATES<br>(CFS) | BIORETENTION<br>BASIN<br>PROPOSED<br>RELEASE RATES<br>(CFS) |
| 1                        | 5.52                                      | 5.52                                | 1.57                                                        |
| 2                        | 6.24                                      | 5.52                                | 3.57                                                        |
| 5                        | 9.16                                      | 9.16                                | 9.01                                                        |
| 10                       | 10.63                                     | 10.63                               | 10.63                                                       |
| 25                       | 12.47                                     | 12.47                               | 12.45                                                       |
| 50                       | 14.31                                     | 14.31                               | 14.22                                                       |
| 100                      | 15.05                                     | 15.05                               | 14.93                                                       |

Note: Topography provided by Franklin County Auditors Office, 2' contours (2007)(NAVDB8)

D.4.a

| REVISIONS | MARK | DATE | DESCRIPTION |
|-----------|------|------|-------------|
|           |      |      |             |
|           |      |      |             |
|           |      |      |             |
|           |      |      |             |

CITY OF REYNOLDSBURG, OHIO  
STORMWATER MANAGEMENT EXHIBIT  
FOR  
DYNALAB PARKING LOT EXPANSION  
PROPOSED CONDITIONS STORMWATER  
TRIBUTARY MAP

EMHT

Ernst, Michael, Hamilton & Wilson, Inc.  
Engineers • Surveyors • Planners • Scientists  
5800 New Albany Road, Columbus, OH 43254  
Phone: 614.273.4400 • Fax: 614.273.4401  
emht.com

|         |               |
|---------|---------------|
| DATE    | October, 2015 |
| SCALE   | As Noted      |
| JOB NO. | 2015-0179     |
| SHEET   | Exhibit 1     |

Packet Pg. 58

Attachment: Application #171986 (1247 : 555 Lancaster Ave.; Application #171986)

STORM DRAINAGE BIORETENTION BASINS NOTES

PROJECT CONDITIONS

- Do not commence construction of the bioretention basin until temporary erosion- and sedimentation-control measures are in place.
- Proceed with construction only when existing and forecasted weather conditions permit excavation to be performed when beneficial and optimum results may be obtained.
- Suspend construction during periods of rainfall and snowmelt. Construction shall remain suspended if ponded water is present or if residual soil moisture may cause soil smearing, clumping or other forms of compaction. NO DELAY CLAIM MAY BE MADE DUE TO SUSPENSION OF BIORETENTION CONSTRUCTION DUE TO UNFAVORABLE SOIL MOISTURE CONDITIONS.
- Construction shall begin no earlier than March 1st and be completed by October 15th.

COMPONENTS OF ENGINEERED SOIL MIX

- Sand for Engineered Soil Mix shall be clean, sharp, natural sand meeting the requirements of ASTM C33 for fine aggregate. Fineness Modulus (FM) shall be 2.5 to 3.1. Coefficient of Uniformity shall be 2.5 to 3.5 preferred (<4.1 acceptable).
- Submit proposed sand to project Engineer or Landscape Architect for approval prior to final mixing and shipment to project site. Furnish laboratory analysis and a written report, less than six months old, by a qualified testing laboratory stating compliance with the above parameters. Submit analysis and report at least 45 days prior to anticipated date of installation.
- Organic Amendment shall be mature/stable aerobically composted yard debris (green waste) compost, an animal manure compost, a biosolids compost or a compost derived from a combination of these three feedstocks. pH: 5.5 to 8.0 (ASTM D2976); Salinity: less than 6.0 millimhos per cm (mS / cm); Organic Matter: not less than 35% by weight (ASTM D2974); Carbon:Nitrogen Ratio: less than 36:1
- The compost shall meet all applicable state regulations based on the feedstock type or U.S. EPA 503 Regulations for biosolids compost.
- Leaf humus compost, "peat", "peat-humus" or sphagnum peat moss products are not acceptable.
- Submit proposed organic amendment to project Engineer or Landscape Architect for approval prior to final mixing and shipment to project site. Furnish laboratory analysis and a written report, less than six months old, by a qualified testing laboratory stating compliance with the above parameters.
- Topsoil shall be a loamy, friable soil essentially free from heavy or stiff clay lumps, stones, cinders, concrete, brick, roots, sticks, brush, litter, plastics, metals, refuse or other deleterious materials in accordance with ASTM D 5288. The soil shall be free of herbicides, petroleum-based materials or other substances of a hazardous or toxic nature which may inhibit plant growth. The soil shall be free of noxious weeds, seeds or vegetative parts of weedy plants that cannot be selectively controlled in the planting. pH: 5.5 to 7.5 (ASTM D4972); Salinity: less than 1.5 millimhos per cm (mS / cm); Organic Matter: 3 to 8% by weight (ASTM F1647).
- Soil shall be taken from a well-drained site and have a USDA soil texture classification of a Clay Loam or Loam. Existing topsoil at the site may be used provided it meets the requirements of this section for topsoils. Off-site (borrow) topsoils may be used provided they meet the requirements of this section and their source or location is submitted to and approved by the Engineer or Landscape Architect.
- Submit proposed topsoil to project Engineer or Landscape Architect for approval prior to final mixing and shipment to project site. Report percentages by volume of Sand, Organic Amendment and Topsoil. Furnish laboratory analysis and a written report, less than six months old, by a qualified testing laboratory stating compliance with the above parameters.

ENGINEERED SOIL MIX

- Mix Sand, Organic Amendment and Topsoil components by volume, to obtain Engineered Soil Mix meeting these specified requirements: pH: 5.5 to 7.5 (ASTM D4972); Salinity: less than 0.5 millimhos per cm (mS / cm); Organic Matter: 2 to 10% by weight (ASTM F1647); Phosphorus: Not to exceed 89 mg / kg; Cation Exchange Capacity (CEC): Minimum of 10. Infiltration Rate: 4 to 12 inches per hour (with soil compacted sample to 85% standard proctor), as determined by ASTM F1815 or ASTM D5858. Mixing shall be performed off-site and engineered soil mix shall be delivered to the site pre-mixed at time of installation.
- Submit proposed mix to project Engineer or Landscape Architect for approval prior to final mixing and shipment to project site. Report percentages by volume of Sand, Organic Amendment and Topsoil. Furnish laboratory analysis and a written report, less than six months old, by a qualified testing laboratory stating compliance with the above parameters.

MATERIALS FOR BIORETENTION BASINS

- Filter Layer shall be a narrowly graded mixture of washed, crushed stone, or crushed or uncrushed gravel; ASTM D 448; coarse-aggregate grading Size 5; with 100 percent passing a 1/2-inch (12.5-mm) sieve and 0 to 5 percent passing a No. 10 (2.0-mm) sieve.
- Storage Layer shall be a narrowly graded mixture of washed, crushed stone, or crushed or uncrushed gravel; ASTM D 448; coarse-aggregate grading Size 5; with 100 percent passing a 1-1/2-inch (37.5-mm) sieve and 0 to 5 percent passing a No. 8 (2.36-mm) sieve.
- Perforated subdrainage pipes and fittings shall be PVC Sewer Pipe ASTM D 2729, bell-and-spigot ends. Pipe shall have 2 rows of perforations 120 degrees apart or 3 rows of perforations 60 degrees apart. The perforation size shall be 1/2 inch to 5/8 inch diameter and perforation shall be spaced 3 inches to 5 inches per row. Solid Wall PVC Sewer Pipe and Fittings shall be ASTM D 3034 or ASTM D 2729, bell-and-spigot ends.

PREPARATION

- Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by excavation of bioretention basins.
- Protect and maintain erosion and sedimentation controls during bioretention basin installation. Remove accumulated sediment from excavation.
- Engineered Soil Mix shall be premixed with a moisture content low enough to prevent clumping and compaction during placement.
- Prior to beginning any construction activity the area of the bioretention basin shall be cordoned off to prevent compaction by heavy equipment. No materials may be stored in the bioretention area. No equipment may be operated in the bioretention area prior to commencement of excavation activity.

DEWATERING

- Prevent surface water and ground water from entering excavations, from ponding on prepared subgrades, and from flooding Project site and surrounding area.
- Protect subgrades from softening, undermining, washout, and damage by rain or water accumulation. Route surface water runoff away from excavated areas. Do not allow water to accumulate in excavations.

EXCAVATION

- Excavate to indicated elevations and dimensions within a tolerance of plus or minus 1 inch. Do not excessively disturb bottom of excavation and do not compact or smear bottom of excavation. Remove projecting stones and sharp objects along bottom of excavation.
- To prevent compaction within the limits of the bioretention basin only hand laborers, small excavation hoes with side tracks, light equipment with turf tires, marsh equipment or wide-track loaders may be used.
- Excavate at edges of Tree- and Plant-Protection Zones by hand to indicated lines, cross sections, elevations, and subgrades. Use narrow-line spading forks to comb soil

and expose roots. Do not break, tear, or chop exposed roots. Do not use mechanical equipment that rips, tears, or pulls roots.

- Notify Engineer or Landscape Architect for subgrade inspection when excavations have reached required subgrade. Do not proceed until subgrade condition has been approved.
- Re-fracture subgrade soils that have been compacted or smeared by raking, diskling or tilling to a minimum depth of 12 inches.

PLACEMENT OF AGGREGATE AND SUBDRAINAGE

- Place Aggregate Storage Layer in layers not more than 6 inches in loose depth. Place by hand dumping, with small equipment or equipment capable of reaching basin from a distance so as not to compact basin bottom.
- Excavate trench for Subdrainage Pipe in Storage Layer to line and grade indicated. Place Subdrainage Pipe in trench with perforations downward. Encase Subdrainage Pipe in a minimum of 4 inches of Filter Layer material on top and sides.
- Do not overly compact Storage Layer.
- Grade Storage Layer to cross sections, lines, and elevations indicated.
- Connect Subdrainage Pipe to storm sewer structures as indicated on drawings.
- Construct cleanouts of PVC pipe to length indicated on plan. Place cleanout vertically at locations indicated on plan, install removable, threaded, waterproof cap on top of cleanout riser pipe flush with surface.

PLACEMENT OF ENGINEERED SOIL MIX

- Place Engineered Soil Mix in layers not more than 12 inches in loose depth. Place by hand or with small equipment. If using small equipment, refracture soils that have been compacted by raking, diskling or tilling to a minimum depth of 4 inches.
- Settling of soil by walking on surface and working with hand equipment is acceptable. Do not use vibrating plate-style compactors to induce settling.
- Uniformly grade Engineered Soil Mix to a smooth, settled surface, free of irregular surface changes. Do not overly work or compact Engineered Soil Mix. Grade to cross sections, lines, and elevations indicated.

GRASS SEED MIX

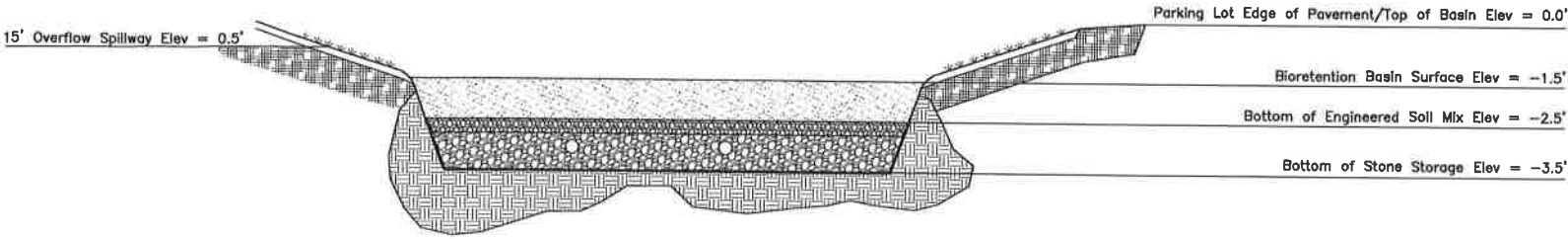
- Lawn seed mix shall proportioned by weight as follows: 10 percent Nubius or Blue Chip Kentucky Bluegrass; 10 percent Coddinestuck or Goodkeeper Perennial Ryegrass; 80 percent Quest, Inferno, Aird 3 and/or Pale Tall Fescue (seed 2). Install per ODOT Item 659. Seeding rate shall be 7 pounds per 1000 square feet. Protect seeded areas within the swale with ODOT Item 671, Type C Erosion Control Mat.

FIELD QUALITY CONTROL

- Protect basins from traffic and erosion. Keep free of trash and debris.
- Repair and reestablish basin where completed or partially completed work becomes eroded. Restore appearance, quality, and condition of finished basin to match adjacent work, and eliminate evidence of restoration to greatest extent possible.
- Remove surplus satisfactory soil and waste materials, including unsatisfactory soil, trash, and debris, and legally dispose of them off Owner's property.

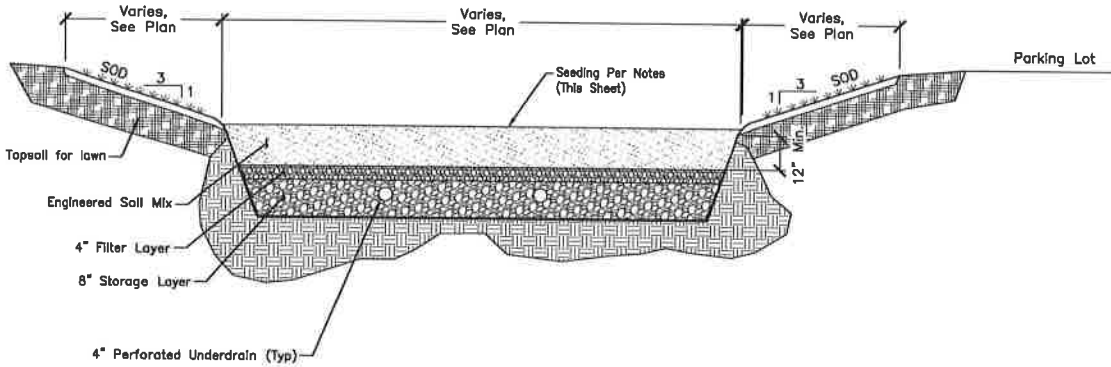
MAINTENANCE

- Begin maintenance immediately after seeding & mulching and continue until grass layer is acceptably healthy and well established but for not less than the period of establishment and the Contract.
- Water grass per ODOT Construction and Material Specification Item 659.
- Fill in as necessary soil subsidence that may occur because of settling, erosion or other processes.
- Apply treatments as required to keep plant materials, planted areas, and soils free of pests and pathogens or disease. Use integrated pest management practices whenever possible to minimize the use of pesticides and reduce hazards. Treatments include physical controls such as hoeing off foliage, mechanical controls such as traps, and biological control agents.



BIORETENTION BASIN ELEVATIONS

Scale: None



DETAIL - BIORETENTION BASIN DETAIL

Scale: None

REVISIONS

| MARK | DATE | DESCRIPTION |
|------|------|-------------|
|      |      |             |
|      |      |             |
|      |      |             |
|      |      |             |

CITY OF REYNOLDSBURG, OHIO  
STORMWATER MANAGEMENT PLAN  
FOR  
DYNALAB PARKING LOT EXPANSION  
Bioretention Basin Notes & Details

**EMHT**  
Engineering & Management  
Inc.  
Engineers • Architects • Planners  
5800 New Albany Road, Columbus, OH 43204  
PHONE 614.775.4500 FAX 614.775.3445  
emht.com

DATE  
October, 2015

SCALE  
As Noted

JOB NO.  
2015-0179

SHEET  
Exhibit 2

[illegible]

**CITY OF REYNOLDSBURG, OHIO  
STORMWATER MANAGEMENT EXHIBIT  
FOR  
DYNALAB PARKING LOT EXPANSION  
PROPOSED PARKING LOT LAYOUT**



DATE  
October, 2015

**SCALE**

**1" = 20'**

**JOB NO.**  
**2015-0179**

**SHEET**

**Exhibit 3**

Packet Pg. 60

Attachment: Application #171986 (1247 : 555 Lancaster Ave.; Application #171986)



**Board of Zoning and Building Appeals**

**November 19, 2015 Meeting**

Due to the size  
of the plans,  
plans pertaining  
to this packet  
may be viewed  
at the

City of Reynoldsburg  
Department of Development.

#### 4) 555 Lancaster Ave. – Dynalab – Major Site Plan Review

**Application:** #171986 – Major Site Plan Review

**Location:** Property is on the west side of Lancaster Ave between Rodebaugh Road and Wind River Drive

**Existing Zoning:** GI – General Industry District

**Request:** Request for review and approval of a major site plan for a parking lot expansion.

**Current Use:** Manufacturing Facility

**Applicant:** Frank D. Carlo

#### **BACKGROUND INFORMATION**

##### *Proposal*

The applicant is requesting the Board review and approve a major site plan to expand the parking lot and make other site improvements to an existing industrial building.

##### *Existing Site & Context*

The site abuts multi-family dwellings on the west side and single family dwellings along the south side. Significant natural vegetation screens the facility from these uses. To the north, a mostly vacant parcel is also zoned GI – Generally Industry and owned by the applicant. To the east, properties across Lancaster Ave are zoning CC – Community Commerce.

#### **CONSIDERATIONS**

##### *1143.03 SITE PLAN.*

(c) Major Site Plan. A written application for a major site plan shall be submitted to the Zoning Officer on forms provided and shall include:

##### *(1) General Requirements.*

- A. Completed major site plan application.
- B. Six copies of the major site plan submitted on 22" x 34" paper, and three copies submitted on 11" x 17".
- C. Professional engineer, architect, or landscape architect registered with the State of Ohio must sign and seal all plans.
- D. The current zoning of the property. In addition, current zoning of adjacent parcels.
- E. Vicinity map showing the location of the proposed development in relationship to the surrounding area including major thoroughfares.
- F. Property lines, parcel dimensions and adjoining rights-of-way.
- G. The names and addresses of all adjoining property within 150 feet of the proposed development.
- H. Title block for each sheet.
- I. Location of proposed buildings and structures.
- J. Wetland limits and size clearly shown, regardless of size.

- K. One hundred-year flood elevation to be clearly indicated.
  - L. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within 150 feet of the proposed development.
  - M. The location, width, names, and classification of existing and proposed streets, rights-of-way, and easements, and where pertinent, their designated use within 250 feet of the proposed subdivision.
  - N. Approximate location of all existing buildings within 150 feet of the proposed development.
  - O. The approximate location, dimensions, and area of all property proposed to be set aside for parks and open space, and other public or private reservation, with designation of the purpose and proposed ownership thereof.
  - P. Topography with a maximum contour interval of two feet.
  - Q. Preliminary proposals for connection to existing water supply and sanitary sewer systems and for the collection and discharge of surface water drainage including the location and size of existing and proposed water mains, sanitary sewers and drainage facilities.
  - R. Show all existing conditions, including but not limited to: ditches, culverts, waterways, utilities, sidewalks, power poles, easements, building footprint and finish grade, finish grade of adjacent buildings, wetlands and woodlands, etc.
  - S. Show existing adjacent roads with rights-of-way.
  - T. Complete facility demand worksheets as provided by the Planning Administrator.
  - U. All exterior lighting shall be shown, including parking lot, pedestrian, and building accent lighting. Lighting intensity and installation height shall be indicated.
  - V. Exterior building design and surface treatments shall be indicated, including building material and color. Color and material samples shall also be made available for inspection.
  - W. Fees as required by Chapter 1155.
- (2) Zoning Standards and Requirements.
- A. Setbacks and building separations shall be noted in accordance with zoning requirements.
  - B. Striping for parking lot shall be indicated directly on the plans, and include the spaces required vs. spaces provided.
  - C. Loading spaces indicated.
  - D. Plantings shown in accordance with zoning requirements. All utilities shall be shown on all planting plans.
  - E. Completed zoning certificate and fee.

(some sections omitted.)

*Approval of a major site plan shall expire twelve (12) months from the date of approval unless building permits have been obtained for construction. A single extension, not to exceed six (6) months may be granted by the Board upon receipt of a written request from the applicant.*

**Table 1179 REQUIRED PARKING.**

*Manufacturing establishment – 1 space for each 200 s.f. floor area*

**1180.11 PARKING LOT LANDSCAPING STANDARDS.**

(a) Parking lots containing more than 6,000 square feet of area or 20 or more vehicular parking spaces, whichever is less, shall provide interior landscaping of the peninsular or island types of uncompacted, well-drained soil that contains a minimum of 6 inches of top soil mix, as well as perimeter landscaping.

- (1) For every ten (10) parking spaces or fraction thereof, the applicant shall provide not less than two hundred (200) square feet of interior landscaped parking lot areas containing at least one tree with a minimum diameter of 2 inches and 4 shrubs.
- (2) The minimum landscape area permitted shall be 200 square feet with a minimum planting width of 10 feet.
- (3) In order to encourage the required landscape areas to be properly dispersed, and to break up large expanses of parking, no individual landscape area shall be larger than 500 square feet in size in vehicular use areas less than 30,000 square feet and no individual area shall be larger than 2,000

square feet in vehicular use areas over 30,000 square feet. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.

(b) All parking lots shall provide perimeter landscaping. Parking lots shall have perimeter landscaping of a minimum width of ten (10) feet exclusive of vehicle overhang. The perimeter landscaping shall consist of a continuous evergreen hedge, evergreen trees, earthen mound or a combination thereof as required to provide a continuous opaque screen, a minimum of 36" in height, within one year of installation. The perimeter landscape shall also contain a minimum of one deciduous tree per 50 linear feet of parking perimeter. When perimeter landscaping of parking is required in addition to a buffer zone or overlapping of a buffer zone of Section 1180.10(b), the required perimeter landscaping of parking may be satisfied concurrently with the requirements of Section 1180.10(b) by the more intensive planting and the more extensive width required by either this subsection or Section 1180.10(b).

(c) Parked vehicles may hang over the interior landscaped area no more than two and one-half feet. Concrete or other wheel stops shall be provided to ensure no greater overhang on the landscaped area. Where parked vehicles will overhang a four-foot minimum spacing shall be provided from edge of pavement to all trees.

(d) Grass or ground cover shall be planted on all portions of the required landscaping area not occupied by other landscape material. Such material fulfills required interior or perimeter landscaping.

## **STAFF REVIEW**

### *Zoning District Regulations/Lot Characteristics*

|                         | <u>Required</u> | <u>Proposed</u> |
|-------------------------|-----------------|-----------------|
| Minimum Parking Setback | 20'             | 55'             |
| Required Aisle Width    | 22'             | 22'             |

### *Traffic & Parking*

The applicant is proposing to add 54 parking spaces to the existing parking. The applicant is not proposing to add any new building square footage to the existing building which would increase the required parking. The current parking area is gravel, and the proposed improvement will remove the non-conforming gravel paving material.

### *Landscaping & Buffering*

The applicant has not provided any information showing compliance with requirements of Section 1180.11 of the Zoning Code.

### *Utilities*

The applicant has shown the general location of utilities and will need to have a plot-grade-utility plan approved by the City Engineer prior to issuance of a zoning certificate. The proposed site modification adds a stormwater improvement for a portion of the existing parking lot that current has not stormwater controls.

## **STAFF RECOMMENDATION**

The Board should determine if the applicant has met all the criteria for major site plan review and approval as outlined in Section 1143.03(c) of the Zoning Code and if the site plan as proposed will have a negative impact on the public health, safety, morals, comfort and general welfare. Staff finds the proposed site plan in compliance with those standards and recommends approval of the site plan on the following condition:

1. That the applicant be required to submit a landscape plan to Staff within six (6) months showing compliance with Section 1180.11 of the Zoning Code.

### ***NEXT STEPS***

Following the meeting, Staff will mail a record of action notice to the applicant at the address provided. Provided the Board approves the application, the next steps are as follows:

1. The applicant should submit for a zoning certificate. Staff will require two copies of plans to confirm compliance with the major site plan approval, they do not need to be large size. The submitted plans will need to confirm with the conditions placed on the approval by the Board. Staff cannot issue the certificate until the plot-grade-utility plan is reviewed and approved.
2. The applicant will need to contact the Service Department at 614-322-6810 to submit plans for plot-grade-utility review and approval. Staff cannot issue a zoning certificate until the plot-grade-utility plan is reviewed and approved.

## **Rules of the Reynoldsburg Board of Zoning and Building Appeals**

The Reynoldsburg Board of Zoning and Building Appeals, in order to carry out the general powers conferred upon it by the Ohio Revised Code and the City of Reynoldsburg's Charter and Codified Ordinances, does hereby adopt the following rules to govern its proceedings:

### ARTICLE I    AUTHORIZATION

Section 1.1 - The authorization for the establishment of Reynoldsburg Board of Zoning and Building Appeals is set forth in Article VII, Section 7.02 of the City Charter.

### ARTICLE II    MEMBERSHIP

Section 2.1 - The entire membership shall be the same as that provided for in Article VII, Section 7.02 of the City Charter.

### ARTICLE III    OFFICERS AND THEIR DUTIES

Section 3.1 Officers – The officers of the Board of Zoning and Building Appeals shall consist of a Chairman, a Vice-Chairman and Secretary.

Section 3.2 Chairman – The Chairman, shall preside at all meetings of the Board. He shall call special meetings of the Board when required. The Chairman may appoint committees or sub-committees comprised of Board members and others whenever he feels that such committees can further the work of the Board. The Chairman shall act as spokesman for the Board, and shall have such other duties as are normally conferred on such officers by parliamentary procedure. Unless otherwise restricted by the Planning & Zoning Code or Charter, the chairman shall have a vote on all matters before the Board. The Chairman shall sign all documents of the Board and see that all actions are properly carried out.

Section 3.3 Vice-Chairman – The Vice Chairman shall serve as Chairman during the temporary absence or disability of the Chairman, and shall upon those occasions be vested with the full authority attendant to the position of the Chairman.

Section 3.3 Secretary – The Secretary shall be elected by the Board from within or without the membership. A Secretary elected from without the membership of the Board shall not have a vote. The Secretary shall keep the minutes of all meetings of the Board in an appropriate location. The Secretary shall also give or serve all notices required by law or by the rules of the Board and prepare the agenda for all meetings of the Board. He shall be custodian of Board records and shall inform the Board of correspondence relating to business of the Board. The Secretary shall attend to such correspondence as required by the Chairman and handle funds allocated to the Board in accordance with its directives, the law, and City regulations.

## ARTICLE IV ELECTION OF OFFICERS

Section 4.1 - At an annual organization meeting, which shall be the first regular meeting in January, the Board shall elect a Chairman and Vice-Chairman. Nominations shall be made from the floor, and the candidate receiving a majority vote of the voting membership shall be declared elected and shall take office at the close of the meeting. The officers shall be elected for a period of one (1) year, shall be eligible for re-election, and shall serve until their successors take office. Vacancies in office shall be filled immediately by regular election procedure.

## ARTICLE V MEETINGS

Section 5.1 - Regular meetings shall be held at 6:00 P.M., on the first (1st) Thursday of each month. Day and time may be changed by majority vote of Board members.

Section 5.2 - Special meetings may be called by the Chairman or Vice-Chairman at the request of three (3) members to discuss those matters necessary and germane to the duties of the Board, in accordance with the Ohio Revised Code.

Section 5.3 Quorum – A quorum shall be necessary at any regular or special meeting in order for the Board to take official action or carry on its business. A quorum shall consist of a majority of Board members. Each member of the Board of Zoning and Building Appeals who has knowledge of the fact that he will not be able to attend a scheduled meeting shall notify the Planning Administrator or Secretary at the Municipal Building at the earliest possible opportunity and, in any event, prior to 5:00 p.m. on the date of the meeting. The Planning Administrator shall notify the Chairman of the in the event that the projected absences will produce a lack of quorum.

Section 5.4 - Action of the Board on any application properly brought before it shall be effective only when the matter being considered by the Board receives at least three (3) votes on the prevailing side. Questions on procedure shall be decided by a voice vote in the usual manner.

Section 5.5 Parliamentary Process – Unless otherwise specified herein, Robert’s “Rules of Order”, as filed in the Clerk of Council’s Office, shall govern the proceedings at the meetings of the Board.

Section 5.6 Designation of Voting Order – Votes of the Board will be by verbal vote and the order of voting will rotate in sequential alphabetical order. The Chairman shall always vote last.

Section 5.7 Reconsideration – Reconsideration of any decision of the Board may be had when the interested party for such reconsideration makes a satisfactory showing to the chairman that without fault on the part of such party, essential facts were not brought to the attention of the Board.

Section 5.8 Conflicts of Interest – Any member of the Board who feels that he has a conflict of interest on any matter that is on the Board’s agenda shall voluntarily excuse himself and refrain from discussing and voting on said items as a Board member.

## ARTICLE VI AGENDAS & ADMINISTRATIVE PROCEDURES

Section 6.1 Open Meetings and Records – All proceedings and records of the Board shall be open to the public in accordance with the City Charter, Codified Ordinances and the Ohio Revised Code. All maps, plats, and other matters required by law to be filed with the Board shall be filed in the office of the Planning Administrator or Clerk of Council as required by the Planning & Zoning Code.

Section 6.2 – Deadline for Application – The deadline for filing applications for placement on the agenda shall be three (3) weeks prior to any given meeting of the unless otherwise stated by the Planning & Zoning Code. Requests for continuance of matters scheduled for a particular agenda shall be filed with the Planning Administrator or Secretary by noon on the Thursday prior to the Thursday of the meeting so the printed agenda will reflect the required continuance.

Section 6.3 – Agenda - The Secretary shall prepare the agenda for the regular and special meetings. Agendas for regular meetings shall be prepared at least seven (7) days in advance of each regular meeting. Board members shall be provided an agenda, a copy of each application and all related exhibits and materials, and a report from Staff at least seven (7) days in advance of each regular meeting.

## ARTICLE VII ORDER OF BUSINESS

Section 7.1 Agenda Order – The order of business at the regular meetings of the Board shall be as follows:

- A. Call to Order
  - 1. Roll Call
  - 2. Approval of Minutes
  - 3. Approval of Agenda
  - 4. Public Comment
- B. Unfinished Business
- C. New Business
- D. Other Business
- E. Adjournment

Section 7.2 Presentation Order – The following procedure will normally be observed; however, it may be rearranged by the Chairman for individual items if necessary for the expeditious conduct of business:

- A. Staff presents report and makes recommendation.
- B. Applicants make presentation.
- C. Any opponents make presentations.
- D. Applicant makes rebuttal presentation of any points not previously covered.
- E. Board members ask any remaining questions they may have for the proponents, opponents, or staff, and then take a vote.

ARTICLE VIII AMENDING THE RULES OF THE BOARD

Section 8.1 These rules may be amended from time to time at regular meetings only, and after at least seven (7) days written notice to all voting members. These rules, when adopted, shall supersede any and all other rules of procedure and by-laws heretofore adopted by this Board, and shall take effect immediately upon adoption.

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CHAIRMAN

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VICE-CHAIRMAN

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ADOPTED (Date)