

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
OCTOBER 21, 2010
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. David Stoffel Mr. Anthony Rettke Mr. Norman Brusk Mr. Patrick Feeney
Others Present:	Mr. Matthew Hansen, Planning Administrator

2. APPROVAL OF MINUTES OF SEPTEMBER 16, 2010

Chairman Brusk: Are there any changes, corrections, additions, deletions? (No response.) Seeing none, we will have the minutes approved as written.

3. APPROVAL OF AGENDA

Mr. Brusk: And do we approve this agenda or not? Any questions, changes?

Mr. Hansen: No changes.

Mr. Brusk: No changes? Then it's approved.

4. SWEARING IN OF SPEAKERS

(Mr. Brusk administers the oath.)

5. PUBLIC COMMENT

Mr. Brusk: Is there any public comment? Have any questions or anything? (No response.) None being said, we'll go into Unfinished Business.

B. UNFINISHED BUSINESS

Mr. Brusk: Seeing no Unfinished Business, we'll go into New Business.

C. NEW BUSINESS

Mr. Brusk: Matt, can you please read Item C1?

1. VARIANCE APPLICATION, 227 DEER TRAIL ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM REYNOLDSBURG ZONING CODE TABLE 1175.03 TO REDUCE THE REQUIRED SIDE YARD SETBACK FROM TWENTY-FIVE FEET (25') TO FOURTEEN FEET, EIGHT INCHES (14' 8"). CONTACT: MICHAEL ELBLE (76-ZV).

Mr. Brusk: Is there someone here speaking on that issue? Could you please come forward, state your name and address and then Matt will go over a brief overview of the request, and then we'll be able to ask you questions.

Mr. Michael Elble: Sure. What would you like to know?

Mr. Brusk: Name and address, please.

Mr. Elble: My name is Michael Elble and I live at 227 Deer Trail Road.

Mr. Hansen: So a summary on this variance request. The applicant currently is in an unzoned district. This subdivision was annexed into the City and was never placed into a zoning district and so, by default, any additions or changes to structures in these parcels will have to follow R-1 zoning district standards. Now, the current proposal for an addition, a garage addition, to the rear of the existing garage does not meet the zoning standards for an R-1 district. And so any expansion upon a non-conforming structure requires Board approval through a variance procedure.

So, here's the site plan of what's proposed. Here's the existing house and the existing garage. Here's the front yard up to the street. Sorry, this scan isn't too legible. The applicant is proposing a 575 square foot addition to the rear of this existing garage and because the existing side yard setback is 14' 8" and the applicant is proposing to expand upon that non-conforming setback, the variance is required.

Mr. Brusk: What's the purpose of adding to that particular – to the garage?

Mr. Elble: Well, for one, I have a shed in back which needs to be replaced and I also have an elderly mother that's moved in with me, so I need more space to actually store contents.

Mr. Brusk: Okay. As I see it, were it not the fact that it needs a variance is only because it's being added on at this point in time. It's already out of variance—

Mr. Hansen: Correct.

Mr. Brusk: --and it's not making it any worse than the original variance. Secondly, when it was built it didn't have to have the variance that it has now.

Mr. Hansen: Correct.

Mr. Brusk: And third, it: a) doesn't really take up anymore space on the footprint of it of any consequence; it doesn't change the look of the yard other than I think it looks a whole lot better than a shed. I assume that the – are you going to have a gable the same way as on the first floor--

Mr. Elble: _____

Mr. Brusk: --or are you going to put a new top on both of them?

Mr. Elble: Well, the way the plans are, really as the front roof will continue on up into meet at a peak there and then down the far side, and the far side will actually have a second story to it, and which will take out the two windows on the side of the house.

Mr. Brusk: So this garage will be a two-story garage?

Mr. Elble: Only on the back side because I'm not going to get in to redoing the roof on the whole thing.

Mr. Brusk: Does that have any problems with the City?

Mr. Hansen: No.

Mr. Brusk: Okay. Thank you. Any other questions, please?

Mr. : Pretty straightforward.

Mr. Brusk: Thank you for the plans that you did. I think they've helped us a lot in being able to evaluate this as quickly as we're going to. I'll entertain a motion.

Mr. Feeney: I'll make a motion that we accept Item C1, 76-ZV.

Mr. Haire: I'll second.

(Mr. Hansen called the roll. Mr. Haire voted "yes." Mr. Stoffel voted "yes." Mr. Rettke voted "yes." Mr. Feeney voted "yes." Mr. Brusk voted "yes.")

2. VARIANCE APPLICATION, 555 LANCASTER AVE., REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM REYNOLDSBURG ZONING CODE SECTION 1179.04(g) TO PERMIT PARKING AREAS WHICH DO NOT MEET MINIMUM PAVING AND IMPROVEMENT STANDARDS. CONTACT: GARY JAMES (77-ZV).

(Mr. Brusk administers the oath to Susan James.)

Mr. Brusk: Are you going to give a summary?

Mr. Hansen: I have just a brief summary, an overview.

Mr. Brusk: If you just give us your name and address and then he'll give a summary and then we'll ask you questions.

Ms. Sarah James: I'm Sarah James with Dynalab, Inc. at 555 Lancaster Avenue.

Mr. Hansen: Here's the site. It's an orthophotograph of the existing condition with the proposed gravel – it's an existing gravel parking area. This parking area was approved from the Board of Zoning and Building Appeals on October 15th for a variance of the very nature that they're requesting again. At that meeting, it was conditioned as part of approval that the variance would expire after one year and that the gravel be compacted quarterly to keep it from being tracked into the adjacent parking areas and potentially into the street. Here's just the site plan, again showing the compacted stone area. Here's the business. Here's pictures of the compacted stone. It's free of ruts, free of weeds. Here's just the concrete apron that was installed. It's still in good condition and here's a picture of it from Lancaster Avenue. To date, the City has not received any complaints as far as gravel being tracked into the parking areas or the street and the gravel seems to be contained and in good condition.

Mr. Brusk: Are these pictures recent pictures?

Mr. Hansen: Yeah, last week.

Mr. Brusk: Or is this the one from last year?

Mr. Hansen: This was last week.

Mr. Brusk: Last week. That's fairly recent.

Mr. Hansen: This is the one from last year. It's an overhead shot. So it largely has remained in the same condition as it was originally approved.

Mr. Brusk: All right. First of all, are there any questions of the group?

Mr. Feeney: No, it's just I was kind of curious on what the future plans are for that?

Ms. James: Yes. Currently since we have the largest single private employer in Reynoldsburg city limits, we do currently have 323 employees which has thus created the need for this overflow of parking. It is temporary and long term we would like to probably build a parking area to the west side of the building, which is behind, but we needed to make sure that there was going to be a need for that with the heightened employees that we've hired. We didn't know if we were going to maintain that over

time. Yes, it has been a year now and we would like to foresee continuing that growth as a company, but right now we'd like to maintain this compacted area and have that parking privilege granted to us.

Mr. Brusk: Okay. I've got a few questions. Although you haven't had any complaints formally, I've heard complaints on this and I want to explain where – what I'm concerned about. Number one, this was supposed to be – I'm certain when we passed it we were very hesitant to go for a full year. I think we were arguing whether or not to go for seven months, figuring that you needed the longer time if you were to do it. We felt that within the year you should be able to make a decision one way or the other whether or not you will be continuing to use this or, two, that you need to either pave it or pave the area behind where you wanted to put that. The concern that that raises, of course, is precedent. We have other businesses throughout the area and we don't need them to say, "Well, Dynalab does it. Why can't we have a temporary gravel?" I appreciate the fact that you have kept it and met all your promises on how it would be maintained and upkeep but I do have a very strong concern about when is this going to be – oh, and I have one other question that I was supposed to ask that someone asked me to ask and that is, how long have you used this as a parking area? Was it last year started it or was it several years prior to that before that it was used as an "overflow parking?"

Ms. James: I believe it was in the end of 2008 that that was begun as a parking

Mr. Brusk: So that's four years now. Not four, three years, 2½ depending. That's still a little bit more than time certain.

Ms. James: Well, in that time, if you might continue, I think we've had the opportunity to see, yes, we've had that growth and due to that growth, we wanted to put our funds into more equipment to allow our increase in production capability to then hire more employees and see that opportunity in the future to have that larger paved lot at the west side of the facility.

Mr. Brusk: Well, on the other hand, you've had more employees which means you're making more profit which means that you should be able to do that if things are going the way they seem to be, which we're very pleased about. But, again, that's my problem on it. Anyone else want to make any comments?

Mr. Feeney: Yeah. Are you asking for a year extension or do you have future plans? That was my original—

Ms. James: The current plan, as it stands now, is in September of 2011 we will be planting along the roadside there, viewable from Lancaster Avenue, trees and shrubs to block the view of the compacted area.

Mr. Haire: September of next year, is it?

Ms. James: Spring of 2011.

Mr. Haire: I thought you said September. I was like—

Ms. James: I'm sorry. Did I say--

Mr. Brusk: Yeah, you did.

Ms. James: I'm sorry, spring of 2011.

Mr. Brusk: The question I have is how much time do you want? And I will tell you right now if we do go forward with it, my feeling would be we want a time certain that won't be extended again. The fact that we've done it, as I say, the precedent is our biggest concern, at least my biggest concern. Once we let something like this go on – and I can rationalize it – show that this is important and necessary and that it has a unique rationale but not when it's not temporary anymore. It's becoming permanent and we're not allowing a permanent change in our area. That'd mean you'd have to go to Council and say, "Council, can you change the ordinance?" I'm not going to change the ordinance by a variance, I will tell you. Therefore, I need to know what's the time certain and I'm not thrilled with a year extension. I would certainly want to keep it less than that and I want it time certain if I'm going to vote for it.

Mr. Haire: Well, Norm, I disagree with your comments that our Board doesn't have the right to vary from regulations. That's what the point of the variance is. This is not something that needs to go to Council. We evaluate on a case-by-case basis. And in this case, in particular, this gravel – you know, in an industrial lot they're not inviting the public onto their lot to use this lot. It's for their employees' use only. It's not be tracked onto the street. I don't, you know, once they screen the lot it's not going to be visible from the street so no one would even know that the parking lot – the gravel parking lot's there unless they're going to Dynalab to work.

Mr. Brusk: Again—

Mr. Haire: So I'm in support of the variance and I would be supportive of other industrial users that aren't inviting the public on their lot to do the same thing.

Mr. Brusk: Well, that is what the ordinance says. We have it for all parking and it becomes a problem. I don't mind it on a temporary basis. I thought that it had a good rationale for it. I just don't see it being a permanent fix and that's what you're intending almost, it appears and I guess that's where I stand on this.

Mr. Feeney: I think the way they maintain the facilities, kept all the promises, I think that shows a lot and I wouldn't doubt if it's going to be in the exact same shape a year from now as it is right now.

Mr. Brusk: Yeah. I don't disagree with that. I don't disagree with any – I thought you guys did a wonderful job on it. I have no problem there.

Ms. James: And I can assure you that—

Mr. Brusk: I was very pleased that our variance was met to the letter with one little exception, one little exception. It didn't stop, it didn't end at the end of the year.

Mr. Feeney: I'm not a businessman but I know the economy _____ over rocky road right now and I think, you know--

Mr. Brusk: Well, then this was because the—

Mr. Feeney: I think with them coming in front of the Board and asking again is – if they could've paved it I'm sure they would've. I got to believe that. I think they're a pretty good company.

Mr. Brusk: I think that their decision was a business decision. "Where do we put our dollars?" And I understand that but, again, this could have been, should have been planned as a stop at the end. I mean, we gave you that at the last variance as far as I'm concerned. We said, "This is going to be time certain" and it's not time certain and now—

Mr. Feeney: Well, we asked them to come back in a year and they are, so.

Mr. Brusk: No, we didn't say they could come back in a year. We said that we were going to—

Mr. Feeney: Give them a year.

Mr. Brusk: --that was just give them a year and then they would be done. They would have made their decision and done it. As I recall, that was a very specific—

Mr. Feeney: Well, we gave them a year.

Mr. Brusk: Yes, but—

Mr. Feeney: Because we didn't want to give it forever so we—

Mr. Brusk: But we did say, and that was one of the contingents on there, that that was your final, not a continuing—

Mr. Feeney: No, that wasn't—

Mr. Brusk: That was my impression of it.

Mr. Feeney: That wasn't my impression.

Mr. Brusk: But that's – as I recall, and that was the key reason that we voted for it.

Mr. Stoffel: For me, from a business standpoint, I like the fact that they have maintained – I mean, even the asphalt where the gravel comes out is clean, from the other photos. And reinvesting back into the employees and in the business in this economy, to me makes sense. And I understand the year thing. But you had mentioned, I was just curious, that you're final parking you were thinking of putting it on the west side of the building?

Ms. James: Correct.

Mr. Stoffel: What were your plans – if you did that, what were your plans for this gravel area then? Just to turn it back to landscaping?

Ms. James: _____ to go back through.

Mr. Stoffel: Why wouldn't you go ahead and just pave that because you already have a good base? You could—

Ms. James: Because that was going to be used as the access area to the paved lot in the west side of the building.

Mr. Haire: If you look at the site plan, you see that that gravel area crosses a lot line?

Mr. Stoffel: Right.

Mr. Haire: I think that was the intention, is that for future development if they would want to locate another user on that parcel that that wouldn't part of it. So that's why I think their intention is it's temporary as if they were to expand the building to the rear, they wouldn't want to put the parking in if they expanded—

Mr. Stoffel: Well, if they expand to the rear of it they'd have to purchase additional land then.

Mr. Haire: They own the land. It's just a separate—

Mr. Stoffel: Oh, as far – I see.

Mr. Rettke: It's more marketable, the frontage.

Mr. Haire: Right. The frontage.

Mr. Brusk: Is there anyone else who has any comments on this?

Mr. Stoffel: To me, I don't know that I want to see it permanently but given the time of year, I don't think we have more – we don't a big option but to extend it because the paving won't get done this year.

Mr. Rettke: Yeah.

Mr. Stoffel: You've only got 30 days of paving left, if even that, depending on the weather, so you know, I think in a beauty aspect, I don't think it's the most beautiful thing but, buy and large, I don't see it out on the road and that's my main concern.

Mr. Brusk: Yeah. Again, I want to reiterate. I don't have a real objection to what you've done and how you've handled the original. My problem is continuing it, is in that's where I'm going to stand but I will now invite a vote on this.

Mr. Haire: I move that we approve Item C2, variance 77-ZV.

Mr. Feeney: Is there a time limit on that?

Mr. Haire: Not on my motion.

Mr. Brusk: You want to add a time limit on there?

Mr. Haire: Not on the motion that I proposed, no.

Mr. Rettke: Second.

Mr. Brusk: You will not accept a change on that to say time certain one year, eight months or nine months or anything?

Mr. Haire: Not on the motion that I proposed and it's been seconded.

Mr. Brusk: All right.

(Mr. Hansen called the roll. Mr. Stoffel voted "yes." Mr. Rettke voted "yes." Mr. Brusk voted "no." Mr. Feeney voted "yes." Mr. Haire voted "yes.")

3. SPECIAL EXCEPTION USE PERMIT APPLICATION, 1751 BRICE ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, CC; PRESENT OWNER'S NAME, MASON EQUITY GROUP; REQUESTING A SPECIAL EXCEPTION FOR AN AUTOMOTIVE SALES AND REPAIR USE. CONTACT: LUIS A. LOPEZ (44-SE).

Mr. Brusk: Would you please give your name and address?

Mr. Luke Davis: Luke Davis, 1751 Brice Road.

Mr. Hansen: The applicant is proposing to put an automotive repair and sales use in the Brice Astor Center. The tenant space is located in a CC zoned district where this use is a Special Exception and requires Board approval. The specific space is the very south end space where a Wonder Bread and Hostess outlet was located and the applicant is proposing to locate into the 3,600 square foot area. The nature of the use is not actually for automobiles as far as cars or vehicles. Their business is in custom manufacturing of motorcycles, motorcycle sales and motorcycle repair and parts. They have an existing business already in Westerville and they're relocating to the City. Currently, as they stated in their application materials, their existing location is adjacent to a residential district as you can see in the photos that they submitted. They claim to not have any complaints from their residential neighbors. But considerations for approval of this application, staff does not find that there's going to be any change in character with the Special Exception use. The applicant should confirm for the Board that there won't be any outdoor storage, any outdoor sales of any parts or equipment or motorcycles as it was not specifically stated in the application but the applicant should confirm that for the Board.

There are adjacent retail and auto oriented in nature so the character of the Brice Astor Center should not change significantly. Public facilities should not be affected by the special exception use and adjacent roadways should not experience any additional traffic concerns. Parking is available on the site and they will need roughly 12 parking spaces which are available considering the other uses at this center. The applicant should confirm any exterior changes that may be proposed for the building other than signage which will need to go to the Design Review Board for approval. But staff sees no issues with the Special Exception use and it meets the considerations and standards of Section 1147.05 – or, no, that's for a variance, sorry.

Mr. Haire: 1145.09.

Mr. Hansen: 1145.09.

Mr. Brusk: Okay. I'm going to start with the thing that really, really kind of snuck in here and not mentioned and that is, "In addition to the motorcycle service, we would like to have two to three tattoo booths in our shop. All tattoos will be performed by professional and licensed artists by appointment only."

Mr. Hansen: Mr. Brusk, that was supposed to be actually eliminated from the application and I don't—

Mr. Haire: For some reason, you got the new application and no one else did.

Mr. Hansen: Were you the only one?

Mr. : I didn't see that either.

Mr. Brusk: That's on—

Mr. : --page?

Mr. Haire: That was eliminated from the – what the applicant confirmed that—

Mr. Brusk: --the Clarence Mingo auditor things online and it starts with, let's see—

Mr. : Oh, mine's on here.

Mr. : It's on there.

Mr. Brusk: Okay. That's not going to be.

Mr. Davis: No, we revised that and we—

Mr. Brusk: Absolutely not.

Mr. Hansen: It must not have been removed from your application. I'm sorry.

Mr. : It was on his also.

Mr. : Yeah. It was right after the Mingo stuff—

Mr. Brusk: The top of the page said 1145.06 and then it was in number six about halfway down, because if you would see it halfway down—

Mr. Haire: The applicant was originally considering doing that but they've decided that they're not going to pursue that, that it'd just be – I mean, once you explain what the business is and—

Mr. Davis: Basically, what we do is we do service on custom V-twin motorcycles, Harley-Davidson motorcycles, and then we build custom bikes as well. So, pretty much what we do is it's just servicing of motorcycles, tune-ups, oil changes, tire changes, and things of that nature.

Mr. Brusk: Okay. Will you store gasoline on-site?

Mr. Davis: Rarely. If I do need gas I usually just go get it in a 5-gallon can or something, per application, but I don't want to store any fuel, no.

Mr. Brusk: Because, you know, that's an inside building. And does the building meet, and I'm asking this of the City, does the building meet the requirements to allow them to have oil and chemicals inside the building like that for temporary or—

Mr. Haire: Something they'll have to evaluate it due to the occupancy.

Mr. Hansen: Right. There's been no building application submitted.

Mr. Brusk: I would suggest that the City require that the fire department review this application with the applicant.

Mr. Haire: They review every application.

Mr. Brusk: Well, also with the – but with that specifically in mind. Are there any issues that that brings up?

Mr. Haire: They'll review—

Mr. Brusk: Otherwise, I have no problem with this—

Mr. Haire: --for ventilation and for firewalls and all those other things, they'll look at.

Mr. Brusk: Exactly. I don't know what's required, what isn't, but I do know I would be concerned if it wasn't checked out. And you said that your hours of operation will be?

Mr. Davis: 10:00 A.M. to 7:00 P.M., Tuesday through Friday and then Saturdays 10:00 A.M. to 5:00 P.M.

Mr. Brusk: Okay. You won't run the motorcycles after 5:00 or 6:00?

Mr. Davis: No. And usually we try not to run the motorcycles. We run them as little as possible. I don't like hearing the noise myself so if I don't have to start a bike, I don't start a bike.

Mr. Brusk: You're not selling bikes, then?

Mr. Davis: The only bikes I would sell is if it's a custom-build bike. If a customer comes to me and asks me to build them a bike—

Mr. Brusk: But you won't be showing them outside, will you?

Mr. Davis: No. No, I have no outside—

Mr. Brusk: He did have a problem—

Mr. Davis: Not like a car lot or anything like that. No, I don't have any outside sales.

Mr. Brusk: Right. Well, we did have a situation where we had a motorcycle shop and they wanted to put the bikes out in front and because of the ordinances, they were not allowed to and I don't want to have that issue come back and bite us.

Mr. Davis: Usually, I keep – due to the expense of the bikes that we do have in our shop, I like to keep them inside. That way I can keep an eye on the motorcycles because a lot of people just have a tendency to want to go up and touch them and sit on them and like they belong to them, so we keep them inside where we can keep an eye on them, so if you want to look at it you just got to come inside.

Mr. Brusk: Any other questions?

Mr. Haire: And then there's an overhead door in the rear? Is that how the bikes will be going in and out?

Mr. Davis: Well, it's not an overhead door. It's just a big metal service door, just a wider door for deliveries, for whatever deliveries they have, but there's a loading dock in the back that we can bring bikes in through the back.

Mr. Haire: And like, for delivery or anything like that, most of that stuff is just like a UPS or FedEx or—

Mr. Davis: UPS, FedEx, something like that where they always just pull up front, drop off a package.

Mr. Haire: So, it's nothing like big trailers or semi-tractors or any of that stuff?

Mr. Davis: No. Nothing like that.

Mr. Stoffle: In your business in Westerville, did you have – were you in a shop right beside another shop?

Mr. Davis: Yes.

Mr. Stoffel: Were there complaints from your adjacent neighbors about the noise?

Mr. Davis: I've never had a complaint about noise yet due to, like I said, we try not to start motorcycles in the building, you know, just because they are extremely loud so we try to be considerate to everybody around us.

Mr. Brusk: And the ventilation will be such that you won't have odors permeating from your building into the next—

Mr. Davis: Correct. What we'll do is, we run exhaust tubes from the exhaust pipes if we have to, to outside.

Mr. Brusk: But what about chemicals that you use, the oils and the gasoline?

Mr. Davis: Used oils that I have on-site get stored in a big drum and then I have a company called Safety Clean come and vacuum that stuff out and take it off the premises.

Mr. Brusk: Okay. Again, I wish that it'd be reviewed from the standpoint to ensure that that isn't an issue but I don't know how good the ventilation is between buildings and what the differential in air pressure in your building versus another. If they're in what's called 'negative pressure' and you're in somewhat 'positive pressure', odors could permeate. On the other hand, that may be just not a real issue. I don't know. Other than that I don't have any questions. Anyone else?

Mr. : No. I'm good.

Mr. Brusk: Okay. I'll entertain a motion.

Mr. Stoffel: I'll move that we approve Item C3, Special Exception, 44-SE.

Mr. Rettke: Second.

(Mr. Hansen called the roll. Mr. Feeney voted "yes." Mr. Brusk voted "Yes, as long as that tattoo shop isn't part of this." Mr. Rettke voted "yes." Mr. Stoffel voted "yes." Mr. Haire voted "yes.")

4. SPECIAL EXCEPTION USE PERMIT APPLICATION, 6748 E. MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING, CC: PRESENT OWNER'S NAME, GBS REYNOLDSBURG; REQUESTING A SPECIAL EXCEPTION FOR AN AUTOMOTIVE REPAIR USE. CONTACT: KIMBERLY MIKANIK (45-SE).

Mr. Hansen: They are requesting a Special Exception for an automotive repair use.

Mr. Brusk: Can you give your name and address?

Ms. Kimberly Mikanik: My name's Kim Mikanik and I'm representing 6748 East Main Street.

Mr. Hansen: This site is the Marathon Gas Station. It has two retail wings on the east and west side. On the east side, that's where the Domino's Pizza is. There are two retail tenants there. And on the east side, there are three bays which you can see here. On the left-most bay is a car wash, a middle bay was transformed into a retail storefront, and then the right-most bay was approved for an oil change but was never implemented as a car detailing business. And so the applicant, earlier in the month, went to the Design Review Board for approval for exterior changes to these bays, removing the existing sliding doors that are on the car wash, the storefront and the opaque overhead door, and to replace them with matching clear anodized- kind of metal looking overhead doors with glass panels in the middle. This was approved with a few conditions. Here's the rear of the site. You can see where it used to be a car wash. It was designed for a car wash and only one bay was ever implemented. But looking at considerations for approval, the site is already established for auto oriented uses. The character will not change on the site and this should not affect the character of the Main Street corridor. If anything, the removal of the car wash will help decrease noise from blowers and such and create less of an impact to the residential district to the north.

Mr. Brusk: Are all three bays going to be in use in this?

Mr. Hansen: As far as I know, yeah, for oil change, for—

Mr. Brusk: --so the middle one is not a retail establishment anymore?

Ms. Mikanik: No.

Mr. Hansen: No. It never was.

Ms. Mikanik: It actually never happened. All they got as far as – is putting in the storefronts and that's it.

Mr. Haire: Yeah. It was going to be a pet wash, where you take your dogs.

Mr. Brusk: Yeah. I do remember that. The funny thing is, I didn't even know there was a Domino's there. It took me forever to find it. So that's kind of hidden away.

Mr. Hansen: The only other code requirement would be parking and relatively the use will be self-park. The uses will park in the bays and customers will wait inside and then any additional employees that the site is anticipating, which I think you said three or four employees at the site?

Ms. Mikanik: Right. Well, I think he said two to three.

Mr. Hansen: Okay. So the number of – the nature of the uses on the site are very low and the amount of parking is substantial enough to accommodate this proposed use change. But staff recommends approval based on the considerations of the staff report and that it meets the requirements and 1145.09.

Mr. Brusk: And it's going to be auto detailing and oil changes, is that right?

Ms. Mikanik: Yeah, or maybe minor repairs in one of the bays but that's pretty much it.

Mr. Haire: What type of repairs?

Ms. Mikanik: I think small minor repairs but nothing getting like transmissions or anything that requires a lot of equipment because honestly, inside those bays you have 11 feet of clearance so if he couldn't bring in lifts and things like that. It's just whatever they can pretty much reach and kind of work on. Nothing like auto body or collision, anything like that, that you get into those type of fumes or whatever either.

Mr. Haire: So there would be no outdoor storage of materials?

Ms. Mikanik: No.

Mr. Haire: That's what I'm more concerned with. I don't mind the quick lube type oil change and detailing and things like that I don't mind, but the automotive repair – I feel like we have enough automotive repair on Main Street and I hate seeing all those cars waiting to be repaired and I just don't know if that's a good use for this site.

Ms. Mikanik: I know they have another location. Pretty much all they do is oil change and I haven't seen cars stored there but that's something I can specify to the tenant, that he cannot store and that his repairs have to be subject to something they – someone can come in and drop off or come in and just get done that day and—

Mr. Haire: I mean, I worry about—

Ms. Mikanik: I don't think he's thought, I think, thought that far into it to tell you the truth.

Mr. Haire: I worry about things like tire changes and used tire sales and all these things kind of snowballing in here, so I -- I mean, I don't mind the oil changes and the car detailing but I'd like to just stick to that, have the application contain them.

Mr. Feeney: Yeah. I agree with you. I think minor repairs, and it depends on what people think are minor. I don't think in car storage, waiting to get fixed the next day or later in the week when parts come in they're going to be – yeah, I think we're looking for a little bit more on Main Street than – but the Fas Lube type of application, you're in, you're out, those are usually pretty clean and so _____.

Mr. Haire: On the storage of the oils and things like that, is that going to be in the mechanical room? Is that where that's anticipated being?

Ms. Mikanik: Right. The tanks will be inside the building itself.

Mr. Haire: Okay.

Q **Mr. Brusk:** You have facilities to – or procedures to change the oil, get rid of the oil and so on?

Ms. Mikanik: Yes. He has two tanks specifically for two grades of oil to install and then another drum that will receive the used oil and then he has a service that takes that away or eventually, I think, he will probably use a heat system that uses reclaimed oil so that's another way of using it. And there's also another – so in the back there is a mechanical room that's associated with the car wash and there's more square footage in there that will be for employees. And we're putting a restroom in for the employees and there's some storage opportunity there.

Mr. : How about a waiting area?

Ms. Mikanik: That waiting area will happen. There's a pretty big mechanical room left over once you pull that car wash equipment that's kind of on the back side of the building. But it's still intrical to a car wash wing itself so that'll be transformed into the office/waiting and there's, like I said, there's enough square footage if he needs to store something he could put it there.

Mr. Haire: So people won't be waiting in their car and they won't be--

Ms. Mikanik: No.

Mr. Haire: --the service done when they're in the car?

Ms. Mikanik: No.

Mr. Brusk: Any other questions? (No response.) If not, I would entertain a motion.

Mr. Haire: I'll make a motion that we approve Item C4, 45-SE with the condition that automotive repair not be permitted, only oil changing and car detailing.

Mr. Feeney: I'll second.

(Mr. Hansen called the roll. Mr. Rettke voted "yes. Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes." Mr. Stoffel voted "yes.")

5. SPECIAL EXCEPTION USE PERMIT APPLICATION, 6537, 6539, 6549 LIVINGSTON AVE; REYNOLDSBURG, OHIO; PRESENT ZONING, CC; PRESENT OWNER'S NAME, TAMMY COLINS; REQUESTING A SPECIAL EXCEPTION TRANSFER OF AN EXISTING CHILD CARE CENTER. CONTACT: SABRINA WOODFORD (46-SE).

Mr. Brusk: Could you please give your name and address, please?

Ms. Sabrina Woodford: Sabrina Woodford, 6537 Brice Road.

Mr. Hansen: The applicant is requesting a transfer of the Special Exception on the existing day care. The TSC Day Care has been operating in the Blacklick Plaza at this location since September of 2007. The applicant also has an existing day care at 1713 Brice Road which was approved. That was application 29-SE. Any transfer of the Special Exception use from one owner to another requires confirmation by the Board. The operation of this location is consistent with the previous ownership. The business hours will end a half-hour earlier and the ranges of the children will be from 6 months to 5 years of age instead of up to 12 years of age, and the applicant is not proposing modifications to the site at this time. Staff finds that the transfer of ownership is still operating within the character Board approval and the applicant's track record with their existing day care approval seems to be solid and there has not been any issues with that day care on Brice Road. The Special Exception will meet the standards of 1154.09 and staff recommends approval based on the consideration from the staff report. Here's the dimension of the day care.

Mr. Brusk: Do we have that many kids in this city – approvals for day care centers.

Mr. Haire: A quick question about the space. They've got the Special Exception a few years ago. They came in and got a Special Exception to expand the adjacent space. Has that expansion every happened?

Ms. Woodford: Yes.

Mr. Haire: Okay. So they're occupying the full space now?

Ms. Woodford: Yes, um-um.

Mr. Haire: Okay. And how many children approximately are there now?

Ms. Woodford: There's only 10 children there right now.

Mr. Haire: For the whole thing?

Ms. Woodford: Huh?

Mr. Haire: The whole place only has 10 children. That's not many.

Ms. Woodford: No.

Mr. Haire: _____.

Ms. Woodford: There was 4 this summer but for her situation some of the parents started pulling out.

Mr. Haire: Lots of other competition since the summer, too.

Ms. Woodford: Yeah. Just a whole lot, yes.

Mr. Brusk: You said you have another facility on—

Ms. Woodford: Brice Road.

Mr. Brusk: --was it down on Livingston?

Ms. Woodford: Brice.

Mr. Brusk: On Brice?

Ms. Woodford: Um-um.

Mr. Brusk: Okay. And how's that been?

Ms. Woodford: Good.

Mr. Brusk: No complaints or anything on that?

Ms. Woodford: No.

Mr. Brusk: That being said, anybody else have anything?

Mr. Haire: You'll continue to use the play area that's in the back there?

Ms. Woodford: On Livingston?

Mr. Haire: Yeah. Don't they have a fenced-in area in the back?

Ms. Woodford: Yeah. It's the shared one though, shared space.

Mr. Haire: With the other day care that's behind them?

Ms. Woodford: Yeah.

Mr. Haire: Okay.

Ms. Woodford: I don't know about that yet.

Mr. Haire: There's no intention to do a new area out there?

Ms. Woodford: No.

Mr. Haire: I don't see any issue. There's already another day care down there and we don't get any complaints about anything being in there.

Mr. Brusk: --yeah. That's at the other end of the facility, yeah.

Mr. Haire: It's appropriate.

Mr. Brusk: I see no problems with the transfer. Any other questions? If no other questions—

Mr. Feeney: I'm good.

Mr. Brusk: --I'll entertain a motion.

Mr. Feeney: I'll make a motion that we approve Item C5, 46-SE.

Mr. Brusk: Well, I'm going to second it because I haven't had a second on the motion.

(Mr. Hansen called the roll. Mr. Feeney voted "yes." Mr. Brusk voted "yes." Mr. Rettke voted "yes." Mr. Stoffel voted "yes." Mr. Haire voted "yes.")

D. OTHER BUSINESS

Mr. Brusk: Is there any Other Business? (No response.) Being no Other Business, I will adjourn the meeting at 7:17:42.

E. ADJOURNMENT

The meeting was adjourned at 7:17 o'clock, p.m.

Norman Brusk, Chair

Matthew Hansen, Planning Administrator

This document was transcribed by:
Area East Secretarial Service
7668 Slate Ridge Blvd.
Reynoldsburg OH 43068