



MINUTES

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

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

A. CALL TO ORDER

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

2. APPROVAL OF MINUTES

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

Minutes Stand Approved

3. APPROVAL OF AGENDA

Agenda Stands Approved

4. SWEARING IN OF SPEAKERS

Speakers for the evening sworn in by Mr. Rettke

B. PUBLIC COMMENT

None

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

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

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

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

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

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

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

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

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

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

Mrs. Hickman Thank you so much.

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

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

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

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

Mr. Bowsher Correct.

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

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

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

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

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

Mr. Sohner: Yes, it would.

Mr. Shook: Thank you.

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

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

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

Ms. Barnhart: OK. Thank you.

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

Ms. Wheeler: Correct.

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

Ms. Wheeler: Correct.

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

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

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

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

Mr. Sohner: That's correct.

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

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

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

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

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

Mr. Sohner: We have nothing else to present.

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

Ms. Barnhart: I'll second.

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

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

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

Ms. Barnhart: I'll second.

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

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

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

E. OTHER BUSINESS

None

F. ADJOURNMENT

Chairman

Planning and Zoning Administrator