



## MINUTES

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, SEPTEMBER 15, 2016 6:30 PM

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

#### A. CALL TO ORDER

PRESENT: Rettke, Linder, Donovan  
ABSENT: Enfinger

#### 2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – August 18, 2016

Minutes stand approved.

#### 3. APPROVAL OF AGENDA

Agenda stands approved.

#### 4. SWEARING IN OF SPEAKERS

Chairman Rettke: Do you swear or affirm that the information being presented to the Reynoldsburg BZBA is true to the best of your ability? If so, say, "I do."

Mr. Alghazawi: Yes.

Mr. Snowden: Let the record reflect that Mr. Alghazawi indicated he understands.

#### B. PUBLIC COMMENT

#### C. UNFINISHED BUSINESS

##### 1. **1806 Brice Rd.; Application #174233; Applicant: Khalid Al-Ghazawi; A&A Speedway Tires, LLC; Special Exception Use Permit - Auto Services**

Mr. Snowden: 1806 Brice Road -- A&A Speedway Tires - Special Exception Use Permit. Application: 174233 - Special Exception Use Permit. The property is located on the east side of Brice Road, just north of Livingston Ave. Existing Zoning: CC - Community Commerce District. The request is for a special exception use permit for an auto services use to operate a tire shop. Current Use: Vacant. Applicant: Khalid Al-Ghazawi. The request of the applicant is for a special exception use permit for auto service use, in order to convert an existing commercial building into a tire shop and operate it as such. The site is developed with an existing commercial building and related improvements, including parking. Neighboring uses include other commercial businesses in the CC District, such as a car wash, retail sales, business offices, and a pawn shop. This application was tabled at the last regular meeting of the Board. The applicant has provided additional information to clarify their

intentions, which has been forwarded to Board members for review. The area is primarily auto-oriented in nature. The items we were looking for clarification on at the previous meeting of the Board are as follows: The applicant proposes to perform work on vehicles at the rear of the property, which is partially screened from the public street by the building. Work will be performed completely inside the building. The applicant indicated that there would be no outdoor storage of tires and other materials. And, the applicant indicated that they will have a dumpster on site to collect trash and waste tires, and indicated that the company that they are going to be using. Generally speaking, I feel that the comments from last time have been satisfied, and I would recommend the Board review the standards of 1145 and determine if this is a special exception use. Staff recommends approval and I also want to remind the applicant that the trash dumpster, as required by 1180, be screened. With that, I will turn things back over to our chairman. I apologize, one more item, I cannot show you the site tonight as we are having a little technical difficulty with the presentation computer.

Chairman Rettke: Thank you. I was glad to receive the email with the answers to our three questions. I was still concerned and have this question, If you take a tire off, and you are not going to resell, and you are going to dispose, where does it go?

Mr. Alghazawi: I have my livery company take the tires every week.

Chairman Rettke: Is there going to be a semi trailer parked there.

Mr. Alghazawi: Yes and they take it every week.

Chairman Rettke: I put the cart before the horse. Can you state your name and address for the record please.

Mr. Alghazawi: Khalid Alghazawi, 3348 Crossing Hill Way, Columbus, Ohio 43219.

Chairman Rettke: Any other questions? Hearing none, I will move for approval.

*(Vote)*

Mr. Snowden: Three votes in favor so the Special Exception Use is recommended to City Council for approval. Gentlemen, if you look on page 3 of the staff report, it will tell you the next steps that need to be completed in order for you to operate your business. I have to forward this to City Council. Once I receive confirmation from City Council, any exterior changes will need to be approved by our Design Review Board. Once things are done, I can issue the Zoning Certificate that you have already applied for, that I have on file. And, at that point, you could apply for Building Permits, and for occupancy of the building since this will be a change of use. In addition to that, I will provide you the same information in writing, to the address that you provided on the application. We will be in touch.

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

#### D. NEW BUSINESS

1. **2051 Birchview Dr. South; Application #174668; Applicant: Crystal Turner; Business: Success 4 Kidz II, LLC; Child Care Center**

Mr. Snowden: 2051 Birchview Drive South - Success Kidz - Special Exception Use Permit. Application: #174668 - Special Exception Use Permit. The property is located on west side of Birchview Drive South, just south of Eastgreen Blvd. Existing Zoning: AR-2 Multi-family Residence District. The request is for approval of a special exception use permit for a new childcare center. Current Use: Vacant. Applicant: Crystal D. Turner. The applicant is requesting the Board review and approve a special exception use permit for a new childcare center. The site is developed with an existing single-tenant commercial building that was designed as a childcare center from the ground up. To the south and east, the property borders multi-family dwellings also in the AR-2 district. To the west, the property abuts commercial properties that front onto Brice Road, including a hardware store (retail sales) and a hotel. In 2011, the tenant, who was actually the daughter of this applicant, applied for a Special Exception Use Permit, and I was actually an intern at the time, and I did the case review in front of the Board. The childcare center operated continually from that time, until the center was forced to close for internal reasons, which I think the applicant outlined in their memo. Since the use was not in operation for 6 months, a new Special Exception Use Permit is required and Special Exception use Permits are not eligible for transfers. The applicant resubmitted the site plan from their 2011 application. The site has an existing parking lot with approximately 6-7 spaces, as well as a drive-aisle that allows off-street drop-off. The existing configuration allows vehicles to enter and exit without changing direction, and this gives them a dedicated path to move through. Staff is not aware of any issues generated during the previous 5 years of operation of the parking lot in this manner. The site has existing play area that is fenced with a 4FT chain-link fence. The applicant refurbished the play area in 2011. The interior classroom spaces have direct access to the play area through exterior doors. The occupants of the structure are not required to walk passed vehicles or across any active drive-aisles to access to the play area. No loading spaces where vehicles might idle are immediately adjacent to the play area. No transformers or other utility cabinets are located within the play area. The applicant has an existing dumpster that is screened per the requirements of the Landscape Chapter 1180. The dumpster is not in an area that is accessible to children within the structure or play area. 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 recommends approval of the special expectation use permit as submitted. With that, I would be happy to answer any questions, and I will turn things back over to our Chairman.

Chairman Rettke: Mr. Donovan, are you familiar with the site?

Mr. Donovan: I went by it today.

Chairman Rettke: Pastor Linder had it pulled up on his phone. I remember this. Like he

said, it was built initially as a child care. The only thin that sticks out, wasn't that a 24 hour childcare.

Mr. Snowden: I was. Didn't she indicate that in her memo? She was doing 24 hour care there, but meeting with th applicant at one point, there was not 24 hour care. I believe it was dependent on what their needs are.

Mr. Donovan: IN 2011, it was that way.

Chairman Rettke: That is what we want to clarify.

Mr. Snowden: I believe she told be 6 to 6, or 6 to 7.

Mr. Donovan: 5 to 7.

Chairman Rettke: When she initially did that, we stressed the lighting. We felt the lighting was sufficient, but I have been by there at times and it was pitch dark. But that explains it if she is not running 24/7.

Mr. Donovan: Saturday and Sunday is 5 am to midnight.

Chairman Rettke: She is one of the only childcare providers that goes that late. I think there is one other that got into the weekend market a couple of years ago. She had the niche on that.

Mr. Snowden: I tried to think of everything we have discussed with these over the years, and tried to find something that was not addressed, but I think it goes to show when you have a site that is laid out from the ground up, for this type of use, this process is much easier.

Chairman Rettke: That is pretty much what we found. It was designed that way, it accommodates the area. I think the fencing was a little bit of an issue, but she was going to redo that, and she has done that. Lighting was the other issue with 24 hour care, but it went fairly smoothly and I don't see a problem with it again. Any more discussion.

Pastor Linder: I was thankful that your experience with them previously was positive. That means a lot.

Mr. Snowden: Pastor, in this case, had it not been for the family situation that you probably saw indicated in the memo, they probably would have continued operating. What happened to the young lady, who was the original proprietor, was on the news. I think had it not been for that situation, they probably would have continued operating in their normal manner, and just by sheer happenstance, do they have to come back. I do not have a record of any complaints to the Planning and Zoning, or any Code Compliance violations. They did have some local young people break into the building and they are going to be replacing the windows, and updating their security system. It seems to me that they are re-investing, and I don't have a reason to believe that there will be any problems.

Chairman Rettke: I am going to move for approval.

(Vote)

Mr. Snowden: Very well, three votes in favor. I will contact the applicant with my normal information, but they will need a Zoning Certificate and probably a Building Permit for some of the repairs. If there are any other questions from the Board, I can have the applicant try to answer those. I will forward this to City Council in accordance with the normal procedure.

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

E. OTHER BUSINESS

F. ADJOURNMENT

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Chairman

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