



AGENDA

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, AUGUST 20, 2020 6:00 PM

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

A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES
 1. Board of Zoning and Building Appeals – Regular Meeting – July 23, 2020
3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

1. Application #2020-5270; 9141 Firstgate Drive; Applicant Benjamin Pacheco Robles; Residential Variance

D. NEW BUSINESS

1. Application #2020-5325; 1371 Brice Road; Applicant Rosana Martinez; Non-Residential Variance
2. Application #2020-5331; 6995 East Main Street; Applicant Chris Crabtree; Non-Residential Variance
3. Application #2020-5338; 2364 Taylor Park Drive; Allan Wiley (GBC Design, Inc.); Non-Residential Variance
4. Application #2020-5332; 8617 Taylor Road SW; Applicant Chris Bruzzese (Berardi + Partners, Inc.); Residential Zoning Variance
5. 2080 Birchview Drive South; Applicant Dimitri Hatzifotinos; Appeal

E. OTHER BUSINESS

F. ADJOURNMENT



MINUTES

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, JULY 23, 2020 6:00 PM

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

A. CALL TO ORDER

PRESENT: Linder (Remote), Furst, Bulls (Remote), Barnhart (Remote)
ABSENT: Rettke

2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – May 21, 2020

Minutes Stand Approved

3. APPROVAL OF AGENDA

Agenda Stands Approved

4. SWEARING IN OF SPEAKERS

Speaker Sworn in by Mr. Furst

B. PUBLIC COMMENT

None

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. Application #2020-5254; 13985 Taylor Road SW; Applicant Cross Development (Caliber Collision); Non-Residential Variance

Ms. Wheeler:

Below is the staff review of the above referenced application.

1. Project Summary

1. The property is located at 13985 Taylor Road SW and is within the Community Commercial (CC) Zone.
2. The applicant is requesting Board of Zoning and Building Appeals approval for a non-residential zoning variance to construct a new 16,000 sf auto body repair/collision shop (Caliber Collision). The development received Major Site Plan approval at the July 9th Planning Commission meeting.

2. Zoning Review (Section 1109.21)

1. The zoning code requires that structures within the CC Zone have a front yard setback of 10-20 feet. The proposed structure will have a front yard setback of approximately 141 feet. A 20 foot

Minutes Acceptance: Minutes of Jul 23, 2020 6:00 PM (APPROVAL OF MINUTES)

- sewer easement runs along the front of the parcel.
2. The zoning code requires that structures within the CC Zone have a side yard setback of 10-20 feet and aggregate side setback of 20-40 feet. The proposed structure will have side yard setbacks of approximately 22 feet (Northeast) and 73 feet (Southwest).
 3. The zoning code requires side or rear yard parking within the CC Zone. The applicant is requesting parking in the front of the building.
 4. 'Vehicular Repair - Heavy' is not listed as a permitted use in the CC Zone. A variance is required for this use type.

3. Staff Recommendation

1. The Board shall consider whether the proposed variances are consistent with the standards contained in Section 1109.13(D) of the Reynoldsburg zoning ordinance, as well as the variance factors set forth by the Ohio Supreme Court.
2. Staff recommends APPROVAL of the requested variances. The proposed project is consistent with surrounding development and the variances are in accord with the intent of the zoning code.

Mr. Furst: Would the applicant like to add anything?

Mr. Allen: I'm with Cross Development and we are the developer for this project. This is not the typical you that you think of when you think of an auto body shop. A lot of this work will be done inside the building without a lot of garage doors open. You won't have air guns and stuff going off with that type of view of a typical auto body repair. These are very clean and tidy and do a good job at maintaining a very professional brand. They are very user friendly from a customer perspective, that's why they like to go in a more commercial setting. We feel as this is a great location for this as it sits on the edge of the commercial area. With everything being contained and a good look to the building and site we feel as if this is a good use adjacent to this facility. This will employ about 20-25 people and they all have a pretty high average salary, about \$75,000 average on a facility like this. Depending on how many painters or mechanics they have, it can vary by location. This business will generate about \$300,000 per month in sales, so it's a pretty heavy sales business, again why they like to be in a commercial setting. So we tried to dress up this building to be similar in esthetics to adjacent commercial structures. It's not the typical Caliber branded colors, and we have done that by design to fit in with the surrounding areas. Some of the reasons for the variances is to kind of match the existing buildings in the area. I know it doesn't exactly follow the code that's newly adopted but we tried to take some context into consideration when we were laying this property out. That's a quick overview and I would be happy to answer any questions.

Mr. Furst: Any questions from the board?

Mr. Bowsher: I want to give context to the site. This property has been vacant for over 20 years since the development of the Taylor Plaza, this was left vacant, a lot of it is because of the unique parcel, and it's kind of like a bowling alley. If you're looking for context of where this is; it's just East of where the Gander Mountain use to be and Big Sandy is currently. So it's been vacant for quite a while, it is in line for the character for the big box retail center that surrounds it. Our code is not perfect, there's clearly some changes we need to make to make it more uniform across the board and there's no way to do that without trying different cases

like the one before you. It does fit within the existing community and the built environment around it. We feel as if it's a good development.

Mr. Shook: I have a question for the applicant. Could you articulate the hardship or difficulty you would have with being able to comply with the front setback requirement?

Mr. Allen: Yes, there's actually a couple here, which we didn't take into context when looking at neighboring buildings. There's also a 20ft sewer easement that runs diagonally on the front of the property that you can see on this plan. There's also existing topography out there that makes this a little bit more difficult to push everything up on the road. We would be way higher in elevation than the existing center would be, and in our opinion would look even more awkward than if it was setback like it is now. I believe it does also allow better landscaping in the front of the property with this kind of setback. That's the hardships we saw and that's why we feel as if this is the best for this location. Again, there was a little discrepancy between the two codes at the time from when we applied and what was adopted.

Mr. Shook: With respect to the proposed site plan. It looks like you have a proposed parking lot that would be in the front of the building between the sewer easement and the building itself. Is that correct?

Mr. Allen: That's correct. Those 19 or so parking spaces are for customers only. Those spots would be for people dropping off a car to be fixed, checking on a car, or filling out insurance forms. All of the vehicles that are in the process of being repaired will be behind the fence on the side of the building and in the rear.

Mr. Shook: Would it be possible, in your opinion, to move the building closer in that area where the parking lot is proposed and move those parking spots into the rear and side of the building?

Mr. Allen: That would be difficult and the only reason I say that is because once you get beside or behind the building you're in the designated fenced in storage area. So to have customer parking spaces behind the fence would make it very difficult to access because of the fencing and gate that's required. We would have to really look at the accessibility of those spaces would be in that situation.

Mr. Shook: Did you consider that as part of the site plan? Was that looked at and determined to be practically impossible for this project?

Mr. Allen: That's correct. We did look at a couple of scenarios. You can also look at this property and tell it has a unique angle to it that runs along the south side of that drawing that really pinches the property as you get closer to the road. Once you move it closer to the road it gets very hard and very condensed on how to get around the building. We took all that into consideration when we were laying this property out.

Mr. Shook: Thank you I appreciate you addressing all of those questions.

Mr. Furst: Thank you Mr. Shook. Any other questions or discussion?

Pastor Linder: If the developer know, what would be the normal hours of operation? Seven days a week? If you could answer that generally I would appreciate it.

Mr. Allen: Generally speaking, and I can't speak for every location, but the company is a five day a week business. Saturday's and Sunday's are not typical business days for them. As far as hours it's fairly similar t any commercial use, 8am-6pm. Not long hours, they aren't going until 9 or 10 in the evening.

Pastor Linder: Thank you

Mr. Shook: I want to address the substance of my questions. I think it's important for any variance request, not just this one, that the applicant addresses that hardship and practicality issue. The board should not grant a variance based on just convenience alone otherwise we could run into a situation where we are forced to grant variances in the same area for the same reason in the future if we create that precedent. The applicant has articulated, at this point, the unique nature of this property and the basis for that hardship or practical difficulty based upon the fence and the sewer easement.

Mr. Furst: Thank you Mr. Shook. The education is always appreciated. Anything anybody would like to add? If no, I would entertain a motion.

Pastor Linder: I would be happy to make a motion but I'm unsure how to phrase it based on the different variances involved. If someone would like to walk me through it I would be happy to make a motion for approval.

Mr. Shook: If you would be intending to approve the variance application in its entirety, you would only need to make the motion in that language. If you are intending to approve the application in part and deny it in part, you would need to specify the variances you would be granting and the ones you would deny.

Pastor Linder: Thank you. I do make a motion that we approve the variances as submitted in their entirety.

Ms. Barnhart: I'll second.

Ms. Wheeler: Ms. Barnhart, Yes. Ms. Bulls, Yes. Mr. Furst, Yes. Pastor Linder, Yes. Mr. Rettke, Absent.

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

2. Application #2020-5270; 9141 Firstgate Drive; Applicant Benjamin Pacheco Robles; Residential Variance

Mr. Shook: For purposes of this agenda item and this application. I had a conversation with Ms. Barnhart and based on my conversation with her she is going to recuse herself from discussion, voting, and deliberation on this item.

Ms. Wheeler:

1. Project Summary

1. The property is located at 9141 Firstgate Drive and is within the Suburban Residential (SR) Zone.
2. The applicant is requesting Board of Zoning and Building Appeals approval for a residential zoning variance to construct a new approx. 930 sf attached carport/garage.

2. Zoning Review (Section 1103.17)

1. The zoning code requires that structures within the SR Zone have a minimum side yard setback of 8 feet and minimum aggregate side setback of 20 feet. The proposed addition will result in a side yard setback of less than 1 foot on the Northeast side and aggregate setback of approx. 16 feet.
2. The zoning code requires that garage doors be located 3 feet behind the front building line.
3. The zoning ordinance encourages stored recreational vehicles to be located within an enclosed structure (Section 1105.01(C)) or otherwise screened from view.

3. Staff Recommendation

1. The Board shall consider whether the proposed variances are consistent with the standards contained in Section 1109.13(D) of the Reynoldsburg zoning ordinance, as well as the variance factors set forth by the Ohio Supreme Court.

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

Mr. Pacheco: I'm the designer. A couple of things to mention as the background for this. The owner has a car trailer as you can see in this image. He would like to give some cover to this as he has been parking it for many years on the side of the house. The goal is to first create a car port and then enclosed for a garage. Not only for privacy but for the visual aspect for the neighbors. The goal of the addition is to harmonize with the existing house and have the same materials. It's not going to negatively affect the adjacent neighbor and granting the variance will also not affect the utilities. The hardship here is that there's no other place to park the trailer other than here on the side. Parking it on the street is not an option so the owner would like to request this variance for a zero foot setback so he can enclose this and have more privacy.

Mr. Furst: Mr. Bowsher and Ms. Wheeler, as the trailer is parked now, is it in compliance with our current codes?

Ms. Wheeler: With the new zoning ordinance it encourages stored recreational vehicles to be located within an enclosed structure or otherwise screened from view. So if it is not within an enclosed structure it does need to be on a hard surface and screened from view. Typically we interpreted that to be a privacy fence or hedges.

Mr. Furst: Any questions from members of the board?

Mr. Shook: Benjamin, can you tell me what the purpose of the car trailer is?

Mr. Pacheco: He uses it for cars. He goes to races every now and then so he has some cars that he owns. That's the main purpose for the trailer.

Mr. Shook: He uses the car trailer to transport cars to the automobile races?

Mr. Pacheco: Right.

Mr. Shook: Does he have the ability to store that vehicle or trailer on another property where is wouldn't require a variance?

Mr. Pacheco: I don't believe he has other properties, that's why he's looking at building this. He did mention that if he is not able to do this here that he may have to move elsewhere, but he would like to stay here because he has been here 20 years. He's had it many years like this and ideally he would like to stay and do this.

Mr. Shook: I'm a little confused about the statement of hardship. I understand that the new zoning code would not permit the trailer to be there in its current state. The hardship here being that he has to have the trailer and the car on his property, even if it's not permitted by the zoning code because he has no other place to put it. Is that correct?

Mr. Pacheco: Correct.

Mr. Shook: I guess, let me take a legal position for members of the board. That is not an adequate statement of hardship, that's more of a statement of convenience. What we were trying to differentiate between in the last application and this one; I think that's where we run into that type of distinction.

Mr. Furst: Thank you Mr. Shook, I was going to ask. I'm well aware that storage facilities do exist for trailers such as this where they're not allowed on residential property. It seems like that might be an applicable scenario for the applicant.

Mr. Shook: That's the only question I had and the only issue I wanted to address.

Mr. Furst: Thank you. Benjamin, I guess I don't understand. Two questions; the first one is, wouldn't a fence be cheaper? That would bring it into compliance from view or even a fence with a gate. Second, one of the things that weren't clear to me in the application was, what's the timeline for converting the carport into a garage? One of the requirements in the code is for it to be screened from view. I'm not certain a carport with no side or door really satisfies the requirement of the code that is be screened from view. I don't consider that enclosed.

Mr. Pacheco: To your comment, I agree that a fence would be cheaper. The carport would likely only be there for a couple of months, maybe 6 months to a year. Then it would be converted to a garage so it would be enclosed. The only thing about the fence is that it would have to be a pretty tall fence to cover the height of the trailer. Does the code say that is has to be completely cover, or just partially?

Ms. Wheeler: I believe its section 1105.01 Section C.

Mr. Shook: Looks like section C, subsection II. This is something we were looking at potentially amending with some zoning code cleanup in the fall. It indicates, recreational equipment is permitted within a residential district if they follow certain requirements. Such as; the vehicle shall not be stored in the front facade or within 6 feet of the rear property line, it has to be screened from view from all contiguous parcels of land. For example let's say he had a privacy fence, which he would need a permit for. Would that privacy fence be tall enough to screen that view from the contiguous properties? I don't know that and I'm not sure the applicant knows that either.

Mr. Furst: I suspect it would not.

Mr. Pacheco: I don't think that would work. I think its 9 feet to the top of the trailer. So you would see a good 3 feet of the top.

Mr. Shook: I think another factor the board need to consider is whether it is consistent with the character of the surrounding properties. If you look at the rendering and the photos, in that area of Firstgate, this is a significant departure from the standard house in that area. That's probably something that's not consistent to the area.

Mr. Bowsher: Benjamin, I have a question. I'm looking at it from Google. If you were going to add another garage, it's not uncommon, clearly this is encroaching on the side yard setback, which is why one of the variances is here. Why the excessive length towards the back that makes it out of character? As you can see here the trailer is not past the back end of the home, yet it is significantly farther that the garage and what the schematics of what the garage would be. If you could walk me through why that is and why it's so out of character, maybe it's something the board could take a look at.

Mr. Pacheco: The idea of the length is to have extra room to unload one of the vehicles. That's the main reason, but it could certainly be shortened to limit the length of it.

Mr. Furst: One of my concerns with the application is that our zoning code is not in favor of creating what's called a snout house. That's the reason for the garage door setback. I am concerned that the majority of the facade of this house would be garage. That's certainly not keeping in character of the surrounding properties. Any other questions or discussions? If not I would entertain a motion if there is not.

Mr. Bowsher: Emily, would you pull up the top down again? Benjamin, I may not have caught it but are you he general contractor that would be building this?

Mr. Pacheco: No, I'm the designer.

Mr. Bowsher: OK. Would it not be easier to the applicant to leave some space elsewhere? It would potentially be less of a hardship to build a structure as massive as this requires on a space that is, in our opinion, too massive for this space and doesn't meet the existing confines of the area.

Mr. Pacheco: That could potentially be a conversation with the owner. I don't know his desire to have a rental for his trailer. Would it make it any better if it was shorter in length, maybe

with the rear of the house?

Mr. Shook: I think it would still be very difficult to make the case of hardship and practical difficulty. The concern being that in a residential district, if you bring in a variance of this nature with a loose hardship then it becomes a bit of "open season" for residential districts.

Mr. Furst: Benjamin, why the standing seam metal roof when the rest of the house has shingles?

Mr. Pacheco: That's due to the pitch of the roof. It's a minimal pitch. It's not recommended to do singles with a 3-12 pitch. It's just a matter of flashing and stuff so it drains properly.

Mr. Furst: That makes sense. Also, keep in mind that the pitch of the roof, it's very clear from your elevations, the pitch of the roof is not keeping with the character of the house either. So that is something that stands out to me.

Mr. Shook: I would mention one thing and Mr. Bowsher did bring this up to me. We are looking at fixing some things in the zoning code since its passage. Things that could be drafted better or clearer or standards we might want to change. One of those standards deals with recreational equipment, such as this one. I think what we are potentially looking at is allowing recreational equipment on a residential property if it is setback so far from the right of way. We wouldn't want one parked so close up on the driveway that it potentially affects the view of traffic. One such as this that's setback as far as this may, at some point be in compliance. So that would be another way that the applicant would be able to maintain the trailer without having to ask for a variance.

Mr. Bowsher: Emily, would you mind doing the top down on the Google view? I'm just thinking that we see a lot of homeowners that have garages. Typically they don't attach it if they build another garage, they may build behind the house. Was there room if it was a much smaller garage that just holds the garage? May it could be offset back behind and just extending the driveway. Therefore, allowing that building to be on the property without needing a variance for side yard setbacks and obviously it would be behind the home itself and be putting it into compliance.

Mr. Furst: Given the trailer side, I'm skeptical that an even narrower garage wouldn't need a side yard setback. That side yard is very narrow on that side and that trailer is pretty wide.

Mr. Bowsher: I'm sorry, I must have misspoke. I didn't mean narrow but shorter length than what was proposed. Then if you're pushing that towards the rear of the property and off of the side yard, potentially it could come into compliance. I'm not saying that it would or that's something the applicant would want, I'm just giving other options. However, if I was the applicant I would hold true to what Mr. Shook said and work with the city on potentially passing some amendments to the zoning code making it easier for individuals such as himself.

Mr. Furst: Would anyone like to make a motion?

Mr. Bowsher: I guess that's what I'm getting at. Do you see how deep the lot is? He could build a garage towards the back of the property almost in the center of the property a little

shorter than he has, putting it into the back, it would be very well screened. As long as he is staying out of the flood plain. If he did that and brought the driveway back, he could really have a garage that's well screened, it wouldn't be on his side yard. It would be detached. I think one of the things we require when he went to a minor site plan is that we would look at the garage and see that it's the standards of that community. It needs to be more craftsman/Americana style, but that could be a potential solution as well.

Mr. Pacheco: The challenging part of doing it in the back is the site has a nice drop down towards the creek. He would have to do a good amount of infill to level that for the placement of the garage. That would be the only level of difficulty but it is a good option. Maybe if it wasn't so much to the front like you were saying, maybe the setback from the house would be enough.

Mr. Bowsher: Certainly as staff we would be willing to work with you to come up with something that is maybe more applicable. That's something we can do outside of this meeting.

Mr. Shook: Just to clarify procedurally. I know members of the board received my memorandum that my office sent out on May 20th. Procedurally, if the board is inclined to deny the application in its entirety the recommendation would be to reach a consensus opinion based on your discussion this evening. Then, adjourn the application for now until a written decision can be filed with the board and the board can vote on that written decision at the next meeting. That's the clearest way to do it because if there's an appeal from a variance denial to the court, the court will send it back to the board without a written decision.

Pastor Linder: Thank you for the clarification. I've been sitting here listening and I'm fairly convinced that this is not keeping with the character of that neighborhood. I would be inclined to decline this request.

Ms. Bulls: I'm in favor with Pastor Linder as well.

Mr. Furst: As far as my opinion, I'm not convinced of the hardship requirement is met here and I agree that is not keeping with the character of the surrounding development.

Mr. Shook: We shouldn't make a motion now. Based on the consensus of the members I will draft a written decision that's consistent with that consensus opinion, submit it with the agenda for the next meeting and then you can make a motion and vote on it there. Only those members who are present for discussion and deliberation are able to vote on it at the next meeting. So it can't be voted on unless Mr. Furst, Ms. Bulls, and Mr. Linder are present.

Mr. Furst: Thank you. 6:53 pm Adjourned

RESULT: HELD

Next: 8/20/2020 6:00 PM

E. OTHER BUSINESS

F. ADJOURNMENT

Minutes Acceptance: Minutes of Jul 23, 2020 6:00 PM (APPROVAL OF MINUTES)

Chairman

Planning and Zoning Administrator

Minutes Acceptance: Minutes of Jul 23, 2020 6:00 PM (APPROVAL OF MINUTES)

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

App./Case#: 2020
Date Submitted: 7/9/2020
Fee Amount: \$100⁰⁰

C.1.a

Section 1139
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

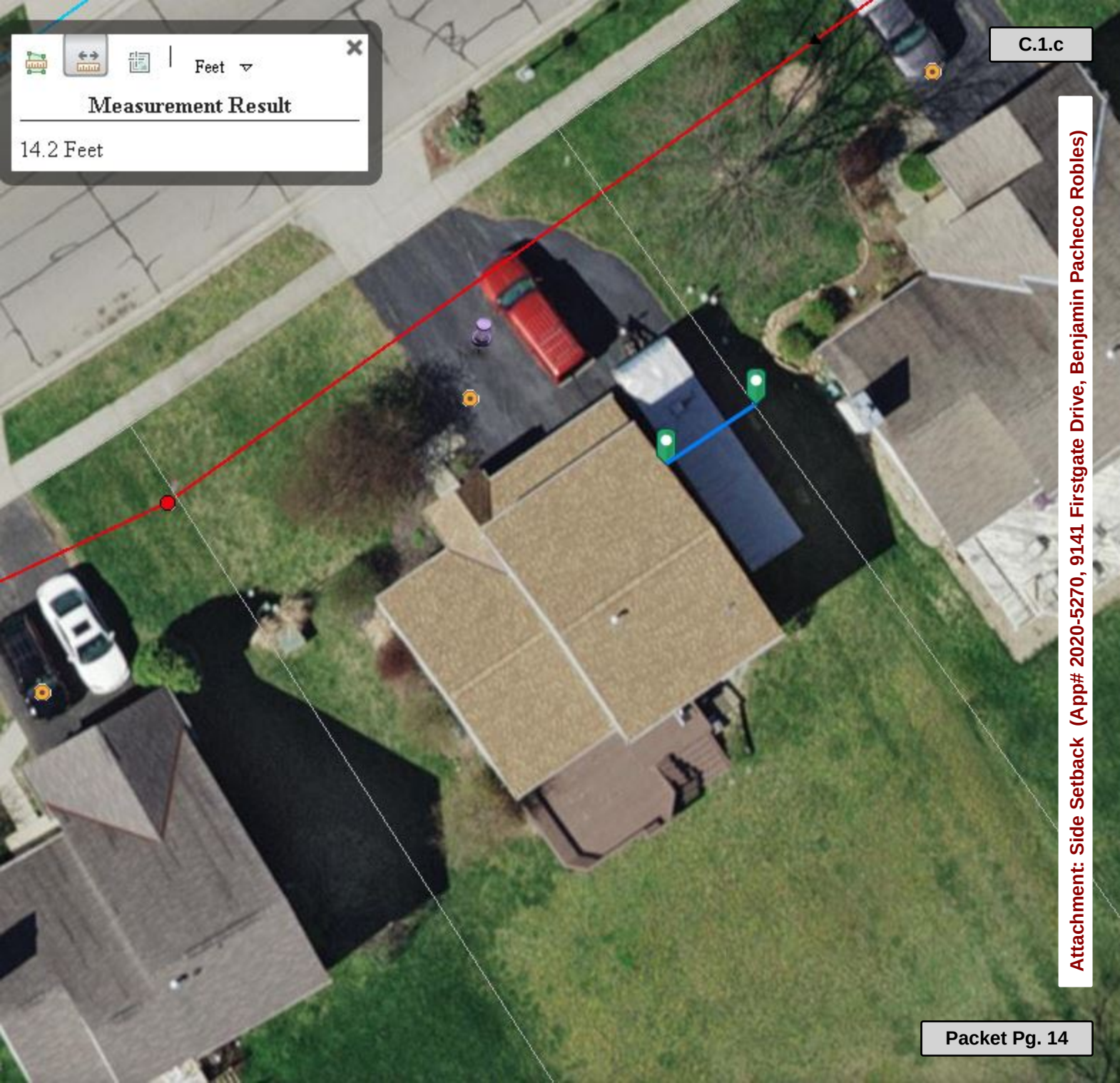
☒ Paid: \$100⁰⁰

I. PROPERTY INFORMATION													
Property Address: <u>9141 Firstgate Drive, Reynoldsburg, Ohio 43068</u>	Parcel ID#(s): <u>013-026628-00.113</u>												
II. PROPERTY OWNER OF RECORD													
Property Owner Name(s): <u>David J. Murray</u>													
Contact Email: <u>edpconsult1@gmail.com</u>	Contact Phone Number: <u>614.395.9611</u>												
III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)													
Business Name:	Contact Name:												
Contact Phone Number:	Contact Email:												
Description of Use:													
IV. APPLICANT INFORMATION													
Applicant Name: <u>Benjamin Pacheco Robles</u>	Applicant Address: <u>4100 Seigman Avenue</u>												
Applicant Phone Number: <u>614.400.4005</u>	Applicant Email: <u>pachecoroblesbenjamin@gmail.com</u>												
☐ Property Owner ☐ Business Owner/Tenant ☐ Contractor ☒ Architect/Engineer													
PROJECT INFORMATION													
CHECK AND DESCRIBE IF APPLICABLE:													
Variance (☐ Non-Residential (\$450) / ☒ Residential (\$100)): _____													

☐ Special Exception Use Permit (\$350): _____													
☐ Other: _____													
Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.													
Applicant Signature: <u>[Signature]</u>	Date: <u>7/8/20</u>												
By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.													
OFFICE USE ONLY													
Additional Notes:	Zoning Information												
	Zoning District: <u>SR</u>												
	☐ Historic District												
	☐ CC Overlay												
	Add'l Approvals Req'd												
☐ Planning Commission	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; background-color: #d3d3d3;">BZBA Meeting</td> <td style="width:50%; background-color: #d3d3d3;">City Council Meeting</td> </tr> <tr> <td>Date: <u>7/23/2020</u></td> <td>Date: _____</td> </tr> <tr> <td>☐ Approved as Submitted</td> <td>☐ No Action Taken</td> </tr> <tr> <td>☐ Approved w/ Conditions</td> <td>☐ Approved as Submitted</td> </tr> <tr> <td>☐ Tabled</td> <td>☐ Approved w/ Conditions</td> </tr> <tr> <td>☐ Denied</td> <td>☐ Denied</td> </tr> </table>	BZBA Meeting	City Council Meeting	Date: <u>7/23/2020</u>	Date: _____	☐ Approved as Submitted	☐ No Action Taken	☐ Approved w/ Conditions	☐ Approved as Submitted	☐ Tabled	☐ Approved w/ Conditions	☐ Denied	☐ Denied
BZBA Meeting	City Council Meeting												
Date: <u>7/23/2020</u>	Date: _____												
☐ Approved as Submitted	☐ No Action Taken												
☐ Approved w/ Conditions	☐ Approved as Submitted												
☐ Tabled	☐ Approved w/ Conditions												
☐ Denied	☐ Denied												
☐ Other: _____	P&Z Admin.: _____ Date: _____												
	Clerk of Council: _____ Date: _____												

Attachment: App#2020-5270 (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)







Feet ▾

✕

Measurement Result

14.2 Feet

C.1.c

Attachment: Side Setback (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)

Benjamin Pacheco Robles
Designer

4100 Seigman Ave.
Whitehall, OH 43213

Statement of Hardship for

David J. Murray
9141 Firstgate Dr.
Reynoldsburg, OH 43068

To BZBA Board,

Upon analyzing the side yard setbacks, located at the single-family residence at 9141 Firstgate Drive., we determined that Mr. Murray will require a zoning variance in order to construct Mr. Murray's garage to store his trailer. Currently, Mr. Murray parks his trailer on the existing asphalt driveway on the east side of the house, which is about the only location available to park his trailer. Parking the trailer on the street would be less visually appealing to the neighborhood, not to mention taking up road space. With our variance request, we seek to improve the aesthetic of Mr. Murray's property, and the neighborhood through the creation of a phase 1 carport, and then a phase 2 garage. Due to the trailer dimensions, a 14' wide carport is desired, however, this encroaches upon the established 8'-0" setback required by the City. The house is currently 15.3' from the property line. With the proposed addition, the side setback is approximately 8" from the property line. Based on this information, our requested variance is for a zero lot line setback. We understand this will likely require a rated wall due to the close proximity to the property line.

We ask for your support in our effort to assist Mr. Murray in providing a better aesthetic to both his home and his neighbors. Should you have any questions, please don't hesitate to contact me at 614.400.4005.

Thank You,

Benjamin Pacheco Robles

Attachment: Hardship Statement (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)

MURRAY RESIDENCE GARAGE ADDITION

OWNER: DAVID MURRAY
ISSUE: SCHEMATIC DESIGN
ISSUE DATE : 07.08.2020

Designer
Benjamin Pacheco Robles

4100 Seigman Avenue
Whitehall, Ohio 43213

614.400.4005

Attachment: 20200708_Zoning Variance Drawings (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)

MURRAY
RESIDENCE
GARAGE
ADDITION

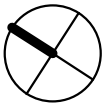
PROJECT STATUS :

SCHEMATIC
DESIGN

ISSUE DATE : 07.08.20

DESIGNED BY : Ben P.

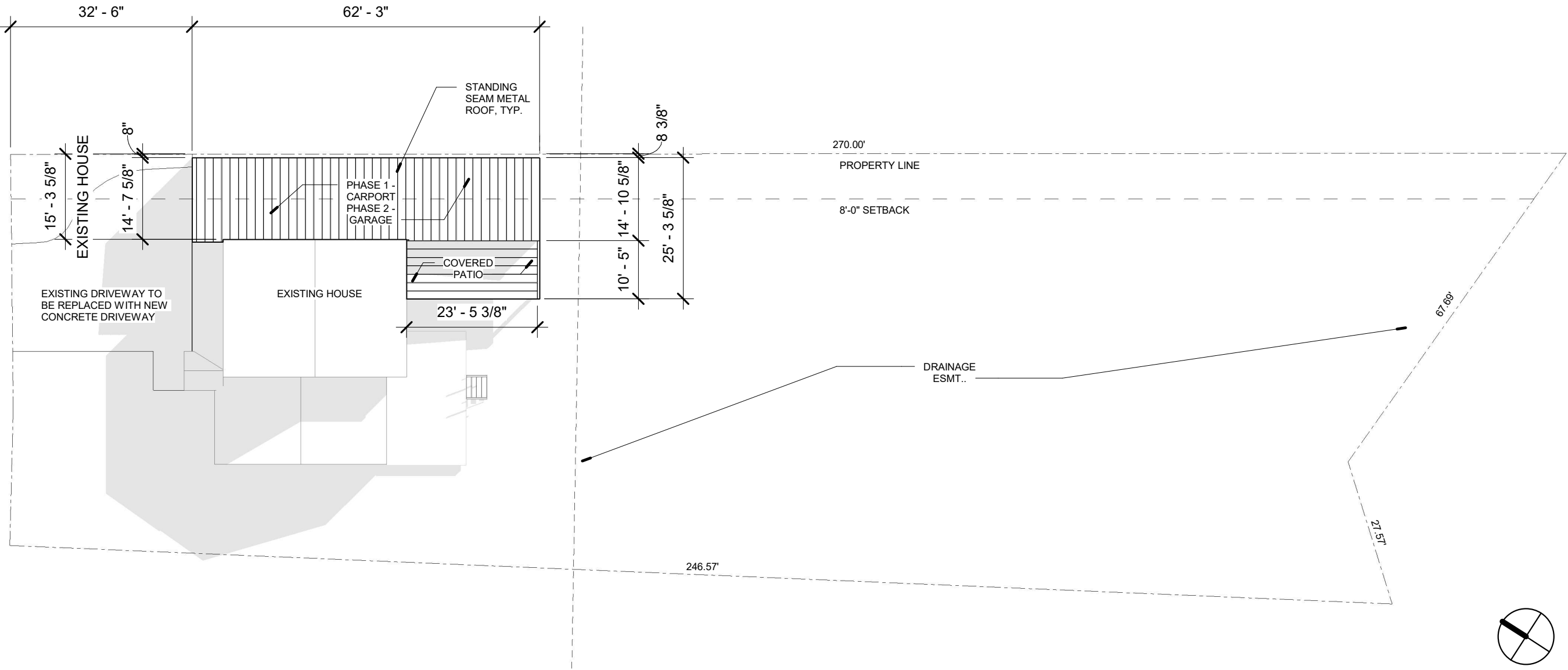
REVISIONS :



SITE PLAN

1.00

Attachment: 20200708_Zoning Variance Drawings (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)



1 PROPOSED SITE PLAN
1.00 1" = 20'-0"

MURRAY
RESIDENCE
GARAGE
ADDITION

PROJECT STATUS :

SCHEMATIC
DESIGN

ISSUE DATE : 07.08.20

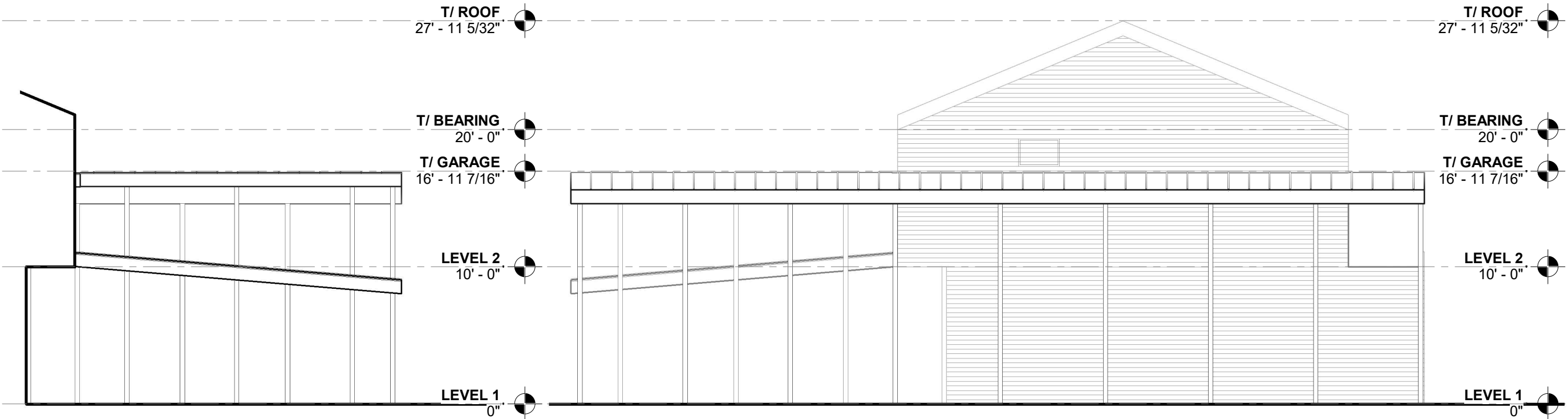
DESIGNED BY : Ben P.

REVISIONS :

PHASE 1 -
ELEVATIONS

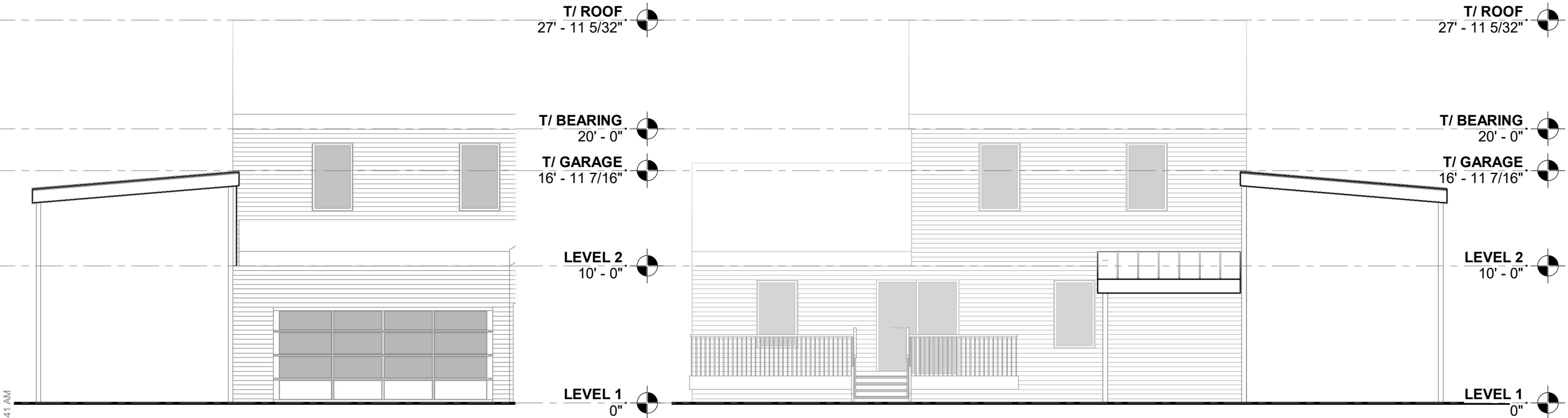
2.00

Attachment: 20200708_Zoning Variance Drawings (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)



4 PHASE 1 - WEST ELEVATION
2.00 1/8" = 1'-0"

3 PHASE 1 - EAST ELEVATION
2.00 1/8" = 1'-0"



2 PHASE 1 - NORTH ELEVATION
2.00 1/8" = 1'-0"

1 PHASE 1 - SOUTH ELEVATION
2.00 1/8" = 1'-0"

MURRAY
RESIDENCE
GARAGE
ADDITION

PROJECT STATUS :

SCHEMATIC
DESIGN

ISSUE DATE : 07.08.20

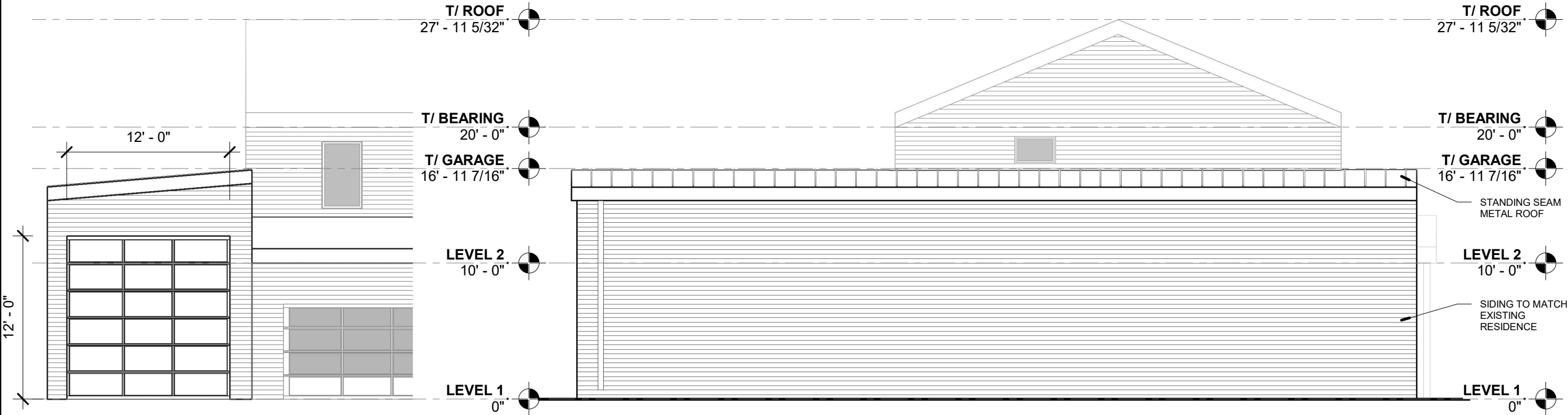
DESIGNED BY : Ben P.

REVISIONS :

PHASE 2 -
ELEVATIONS

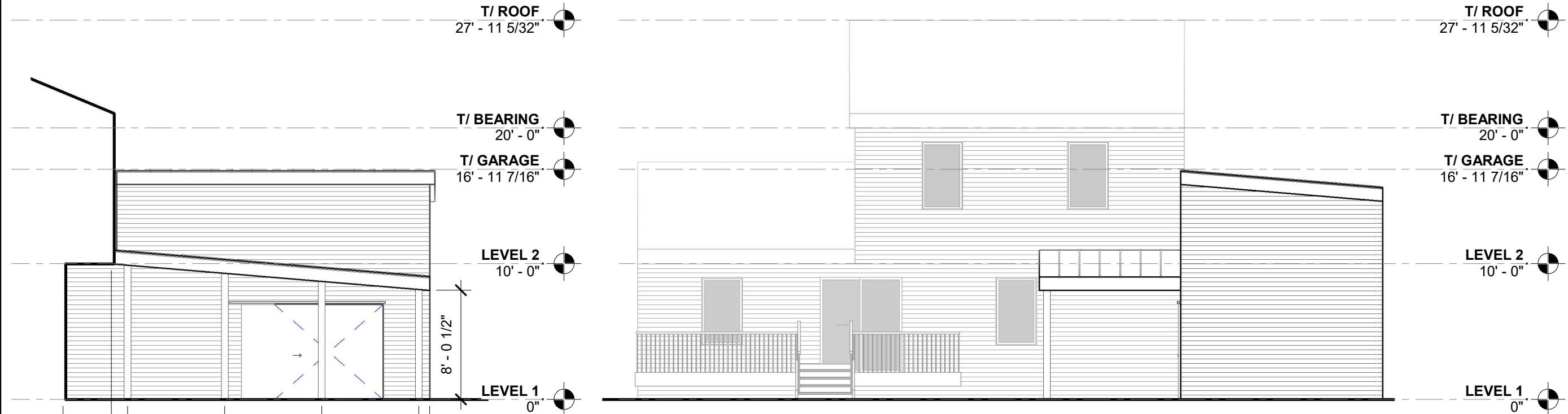
2.01

Attachment: 20200708_Zoning Variance Drawings (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)



4 PHASE 2 - NORTH ELEVATION
2.01 1/8" = 1'-0"

3 PHASE 2 - EAST ELEVATION
2.01 1/8" = 1'-0"



2 PHASE 2 - WEST ELEVATION
2.01 1/8" = 1'-0"

1 PHASE 2 - SOUTH ELEVATION
2.01 1/8" = 1'-0"

MURRAY
RESIDENCE
GARAGE
ADDITION

PROJECT STATUS :

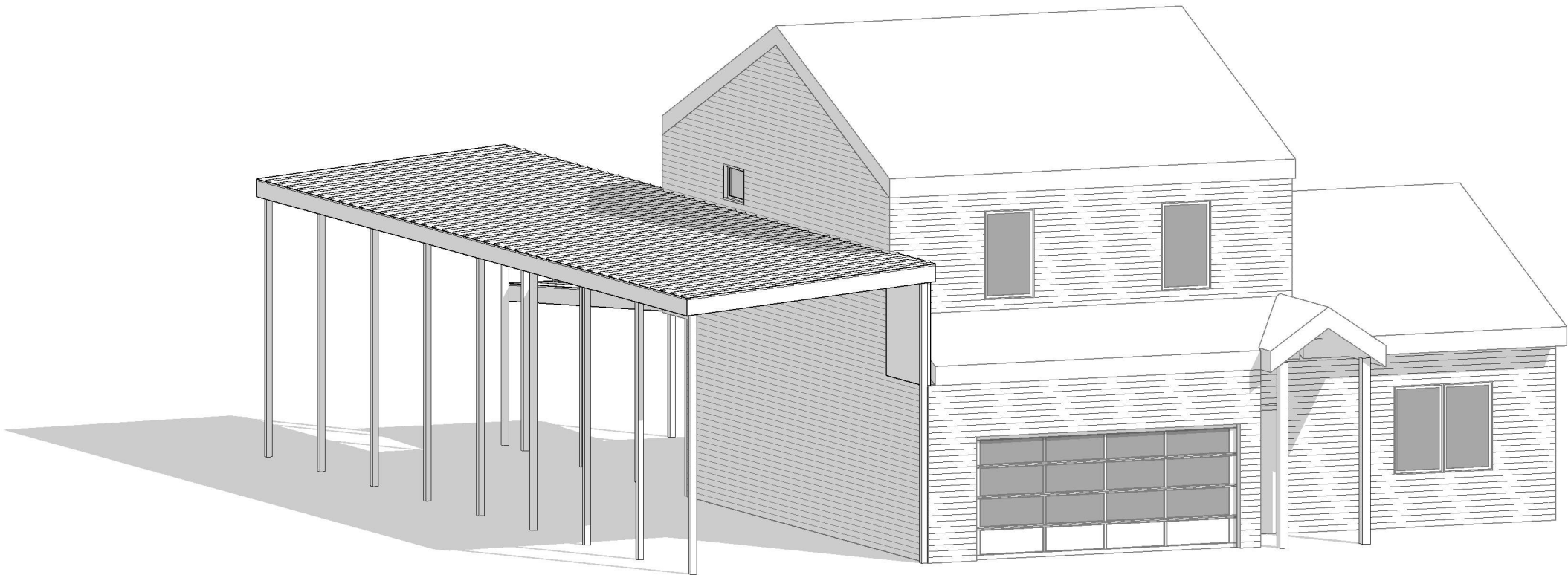
SCHEMATIC
DESIGN

ISSUE DATE : 07.08.20

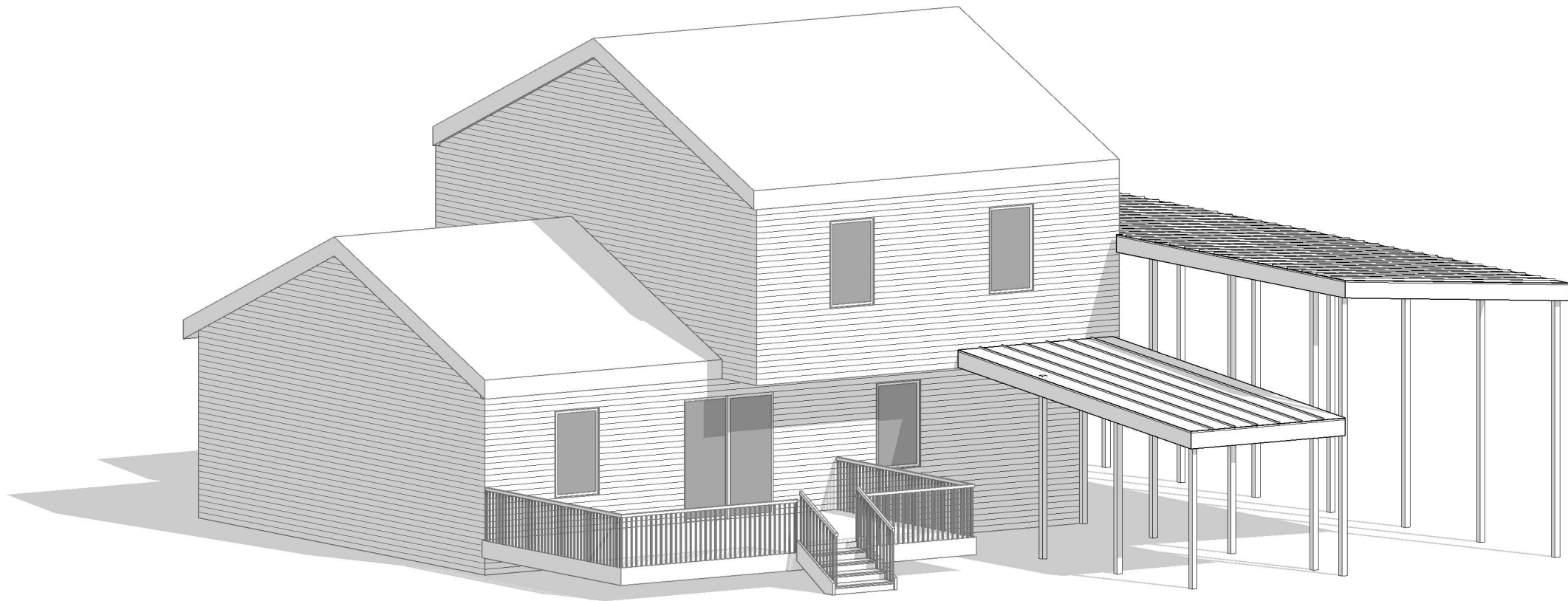
DESIGNED BY : Ben P.

REVISIONS :

Attachment: 20200708_Zoning Variance Drawings (App# 2020-5270, 9141 Firstgate Drive, Benjamin Pacheco Robles)



2 PHASE 1 - VIEW
3.01



1 PHASE 1 - REAR VIEW
3.01

PHASE 1 - CARPC

MURRAY
RESIDENCE
GARAGE
ADDITION

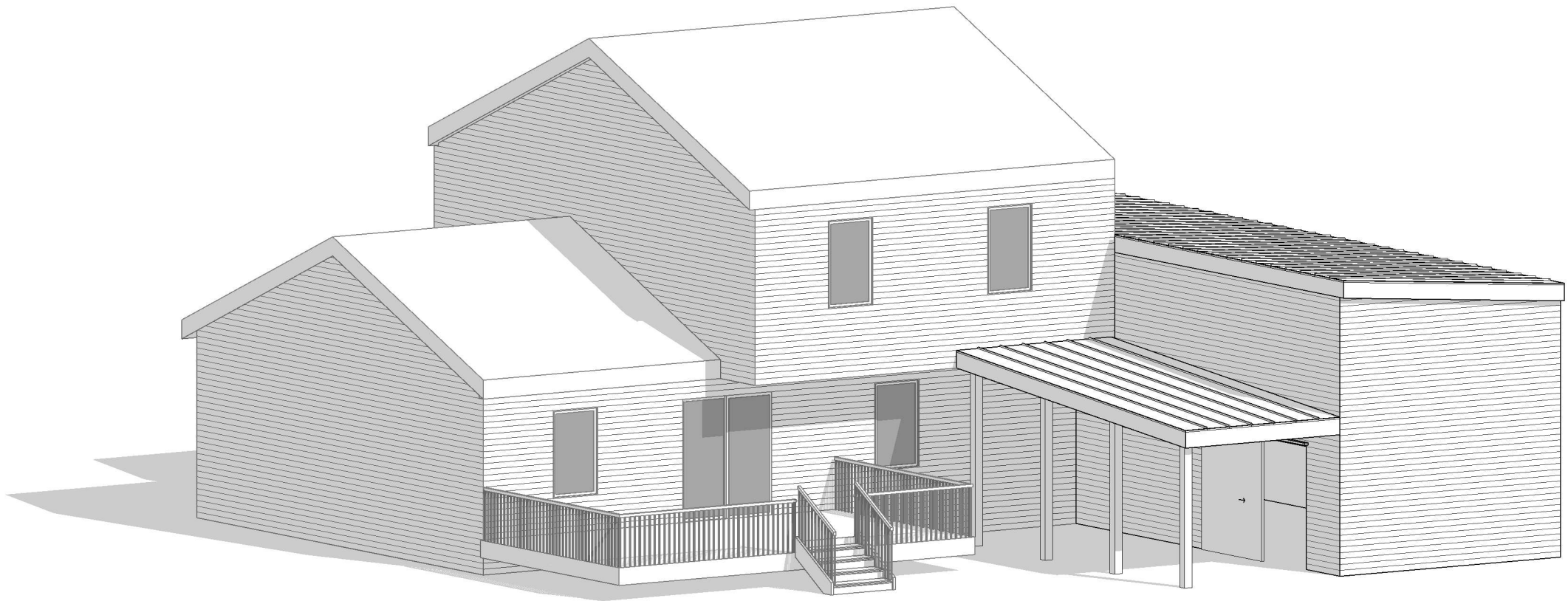
PROJECT STATUS :

SCHEMATIC
DESIGN

ISSUE DATE : 07.08.20

DESIGNED BY : Ben P.

REVISIONS :



1 PHASE 2 - REAR VIEW
3.02



2 PHASE 2 - FRONT VIEW
3.02

PHASE 2 - GARA

3.02

**CITY OF REYNOLDSBURG
BOARD OF BUILDING AND ZONING APPEALS**

FINDINGS OF FACT AND CONCLUSIONS

Variance Application #: 2020-5270
 Applicant: David J. Murray
 Address: 9241 Firstgate Drive
 Variance Request: Residential Variance

I. FINDINGS OF FACT

Applicant timely filed an application for a variance under Chapter 1109 of the Codified Ordinances of the City of Reynoldsburg (the "Code"). The Applicant seeks to construct a detached garage to enclose a trailer and/or vehicle(s) that are often stored for the purpose of operating and/or participating in a business for motor vehicle racing.

The property for which the variance is requested is located in the Suburban Residential Zone (SR). In the SR District, there is a requirement that any structures must be set back a minimum of eight feet (8') from the side of the property line. In addition and/or in the alternative, the Code defines a garage as an accessory building. In an SR District, accessory buildings are permitted if they are less than fifteen feet (15') in height and located at least ten feet (10') from the house and five feet (5') from any lot line.

The proposed garage would be attached to an existing single-family residence with an attached garage. The proposed garage would be constructed up to the side property line with zero feet (0') set back from said property line.

The Applicant presented the testimony of Benjamin Pacheco Robles, who prepared and presented the schematic design for the proposed garage addition. Mr. Robles testified that the variance was necessary for the Applicant to enclose his vehicle(s) from public viewing and to comply with another applicable Code regulation that prohibits recreational vehicles from parking in the front or side of a residential building when said vehicle(s) can be viewed by neighboring properties. Upon questioning by members of the BZBA, Mr. Robles acknowledged that the Applicant could seek to store the vehicle(s) offsite in a non-residential district but that said storage would have a cost.

II. CONCLUSIONS

The Board has considered the documents and testimony presented by the Applicant, as well as the variance factors set forth in Section 1109.13 of the Reynoldsburg Codified Ordinances ("RCO") and makes the following Conclusions with regard to those factors:

1. Whether 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

The Board finds this factor weighs against the approval of the requested Variance. The purpose of the SR District is for traditional suburban single-family detached and attached dwelling units. The storage

of vehicles, while certainly permitted in a garage or driveway, is not intended to be extended to additional detached garages that are located close to the property line.

2. Whether variance will permit the establishment of any use which is not otherwise listed as a permitted use or a conditional use in the zone or district in which the subject property is situated.

The Board finds this factor is neutral as the requested variance is not a use variance.

3. Whether 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 a deprivation of the beneficial use of land, as opposed to a mere loss in value as justification for the variance.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant did not present any evidence of special circumstances or conditions that are peculiar to this property.

4. Whether 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.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant did not present evidence of hardship. The statement of hardship presented with the application indicates that the proposed garage would allow the property owner to comply with another provision of the Code to prohibit the parking of trailers in the front, side, or on the street in the SR District. The Board finds compliance with another applicable regulation is not a statement of hardship.

5. Whether 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.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant is able to use the property as a residence and denial of the variance will have no effect on that intended use in the SR District.

6. Whether variance will 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.

The Board finds this factor weighs against the approval of the requested Variance. The proposed garage would directly abut the adjacent property to the detriment of the neighboring property owner.

7. Whether the variance will 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.

The Board finds this factor weighs against the approval of the requested Variance. There are no other similar uses in the area or in the SR District and the approval of this application would clearly result in a special privilege for the Applicant.

8. 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.

The Board finds this factor is neutral and inapplicable.

9. The variance is not a matter of convenience when other remedies are available within the provisions of this Code.

The Board finds this factor weighs against the approval of the requested Variance. There are other remedies available to the Applicant, such as storage of the trailer/vehicle(s) on another site where it would be permitted.

III. DECISION

Based upon the Board's findings of fact and conclusions of law, Variance Application #2020-5270 is **DENIED** in its entirety.

**CITY OF REYNOLDSBURG
BOARD OF BUILDING AND ZONING APPEALS**

FINDINGS OF FACT AND CONCLUSIONS

Variance Application #: 2020-5270
 Applicant: David J. Murray
 Address: 9241 Firstgate Drive
 Variance Request: Residential Variance

I. FINDINGS OF FACT

Applicant timely filed an application for a variance under Chapter 1109 of the Codified Ordinances of the City of Reynoldsburg (the "Code"). The Applicant seeks to construct a detached garage to enclose a trailer and/or vehicle(s) that are often stored for the purpose of operating and/or participating in a business for motor vehicle racing.

The property for which the variance is requested is located in the Suburban Residential Zone (SR). In the SR District, there is a requirement that any structures must be set back a minimum of eight feet (8') from the side of the property line. In addition and/or in the alternative, the Code defines a garage as an accessory building. In an SR District, accessory buildings are permitted if they are less than fifteen feet (15') in height and located at least ten feet (10') from the house and five feet (5') from any lot line.

The proposed garage would be attached to an existing single-family residence with an attached garage. The proposed garage would be constructed up to the side property line with zero feet (0') set back from said property line.

The Applicant presented the testimony of Benjamin Pacheco Robles, who prepared and presented the schematic design for the proposed garage addition. Mr. Robles testified that the variance was necessary for the Applicant to enclose his vehicle(s) from public viewing and to comply with another applicable Code regulation that prohibits recreational vehicles from parking in the front or side of a residential building when said vehicle(s) can be viewed by neighboring properties. Upon questioning by members of the BZBA, Mr. Robles acknowledged that the Applicant could seek to store the vehicle(s) offsite in a non-residential district but that said storage would have a cost.

II. CONCLUSIONS

The Board has considered the documents and testimony presented by the Applicant, as well as the variance factors set forth in Section 1109.13 of the Reynoldsburg Codified Ordinances ("RCO") and makes the following Conclusions with regard to those factors:

1. Whether 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

The Board finds this factor weighs against the approval of the requested Variance. The purpose of the SR District is for traditional suburban single-family detached and attached dwelling units. The storage

of vehicles, while certainly permitted in a garage or driveway, is not intended to be extended to additional detached garages that are located close to the property line.

2. Whether variance will permit the establishment of any use which is not otherwise listed as a permitted use or a conditional use in the zone or district in which the subject property is situated.

The Board finds this factor is neutral as the requested variance is not a use variance.

3. Whether 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 a deprivation of the beneficial use of land, as opposed to a mere loss in value as justification for the variance.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant did not present any evidence of special circumstances or conditions that are peculiar to this property.

4. Whether 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.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant did not present evidence of hardship. The statement of hardship presented with the application indicates that the proposed garage would allow the property owner to comply with another provision of the Code to prohibit the parking of trailers in the front, side, or on the street in the SR District. The Board finds compliance with another applicable regulation is not a statement of hardship.

5. Whether 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.

The Board finds this factor weighs against the approval of the requested Variance. The Applicant is able to use the property as a residence and denial of the variance will have no effect on that intended use in the SR District.

6. Whether variance will 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.

The Board finds this factor weighs against the approval of the requested Variance. The proposed garage would directly abut the adjacent property to the detriment of the neighboring property owner.

7. Whether the variance will 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.

The Board finds this factor weighs against the approval of the requested Variance. There are no other similar uses in the area or in the SR District and the approval of this application would clearly result in a special privilege for the Applicant.

8. 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.

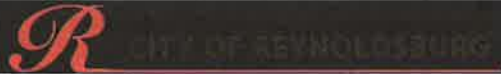
The Board finds this factor is neutral and inapplicable.

9. The variance is not a matter of convenience when other remedies are available within the provisions of this Code.

The Board finds this factor weighs against the approval of the requested Variance. There are other remedies available to the Applicant, such as storage of the trailer/vehicle(s) on another site where it would be permitted.

III. DECISION

Based upon the Board's findings of fact and conclusions of law, Variance Application #2020-5270 is **DENIED** in its entirety.



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

Received

AUG 05 2020

Reynoldsburg Building Division
Section 1139

App./Case#: 2020-5325

Date Submitted: 8/5/2020

Fee Amount: \$450.00

**BOARD OF ZONING & BUILDING APPEALS
APPLICATION**

☒ Paid: MC

I. PROPERTY INFORMATION

Property Address:

1371 Brice Rd, Reynoldsburg, OH 43068

Parcel ID#(s):

II. PROPERTY OWNER OF RECORD

Property Owner Name(s):

Fred Knopp

Contact Email:

Knoppsec@aol.com

Contact Phone Number:

(614)800-7169 cell

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name:

Romake Learning Academy

Contact Name:

Rosana MartÃ nez

Contact Phone Number:

(614)886-9479

Contact Email:

Romakeinc2@gmail.com

Description of Use:

Learning center for school age children Licensed by Ohio

IV. APPLICANT INFORMATION

Applicant Name:

Rosana Martinez

Applicant Phone Number:

(614)886-9479 cell

Applicant Address

6591 Outville Rd

Applicant Email:

Rmg31@icloud.com



Property Owner



Business Owner/Tenant



Contractor



Architect/Engineer

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

Variance (☒ Non-Residential (\$450) / ☐ Residential (\$100)): This location has been used as a daycare since 2012.

We had to close it in 2018 since we had a flood in our other building 1357 Brice Rd. The license

expired 2019, and our licensed specialist advised us to apply after we finished all the

remodeling. We now need to re-open for all our school-agers due to COVID-19.

☐ Special Exception Use Permit (\$350):

☒ Other: Need a variance for this location

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

Applicant Signature:

Date: August 4, 2020

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

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: BMD

☐ Historic District

☐ CC Overlay
Add'l Approvals Req'd
☐ Planning Commission

☐ Other:
BZBA Meeting

Date: 8/20/2020

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Tabled

☐ Denied
City Council Meeting

Date:

☐ No Action Taken

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Denied

P&Z Admin.: Date:

Clerk of Council: Date:



ROMAKE INC

1371 BRICE ROAD, REYNOLDSBURG, OH 43068

(614) 863-8578

August 3, 2020

Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, OH 43068

Attn: Request a Variance for 1371 Brice Rd.

Reynoldsburg City Officials:

This is a request for a Variance for 1371 Brice Road, Reynoldsburg, OH 43068. We are requesting this variance as we need to re-apply for our childcare license. Unfortunately, we had to let it expire due to circumstances beyond our control.

In the spring of 2018, we had a flood at 1357 Brice Rd. This caused us the to remodel and had to get new furniture, floor, and carpet. Due to all this we found ourselves using the 1371's location for storage during all the remodeling. The remodeling took until the spring of 2019. The license expired and we did not re-apply at that time because we decided to remodel before we opened again as our license specialist advised.

We are ready to re-apply due to the need for space for our school-age children. This year due to Covid-19 and its special requirements for this school year. We find ourselves needing to increase the space for our school age kids. This will allow us to set it up for their needs for this school year. Many parents will have a need for childcare as the children will not be attending school. Re-opening our second site will provide space for 30-34 children.

This building has been approved for childcare before. Therefore, we are requesting for you to reconsider approving this variance as it is not for a new use but an old use. We must go thru all the steps to apply for the childcare license and it requires us to acquire a new building permit.

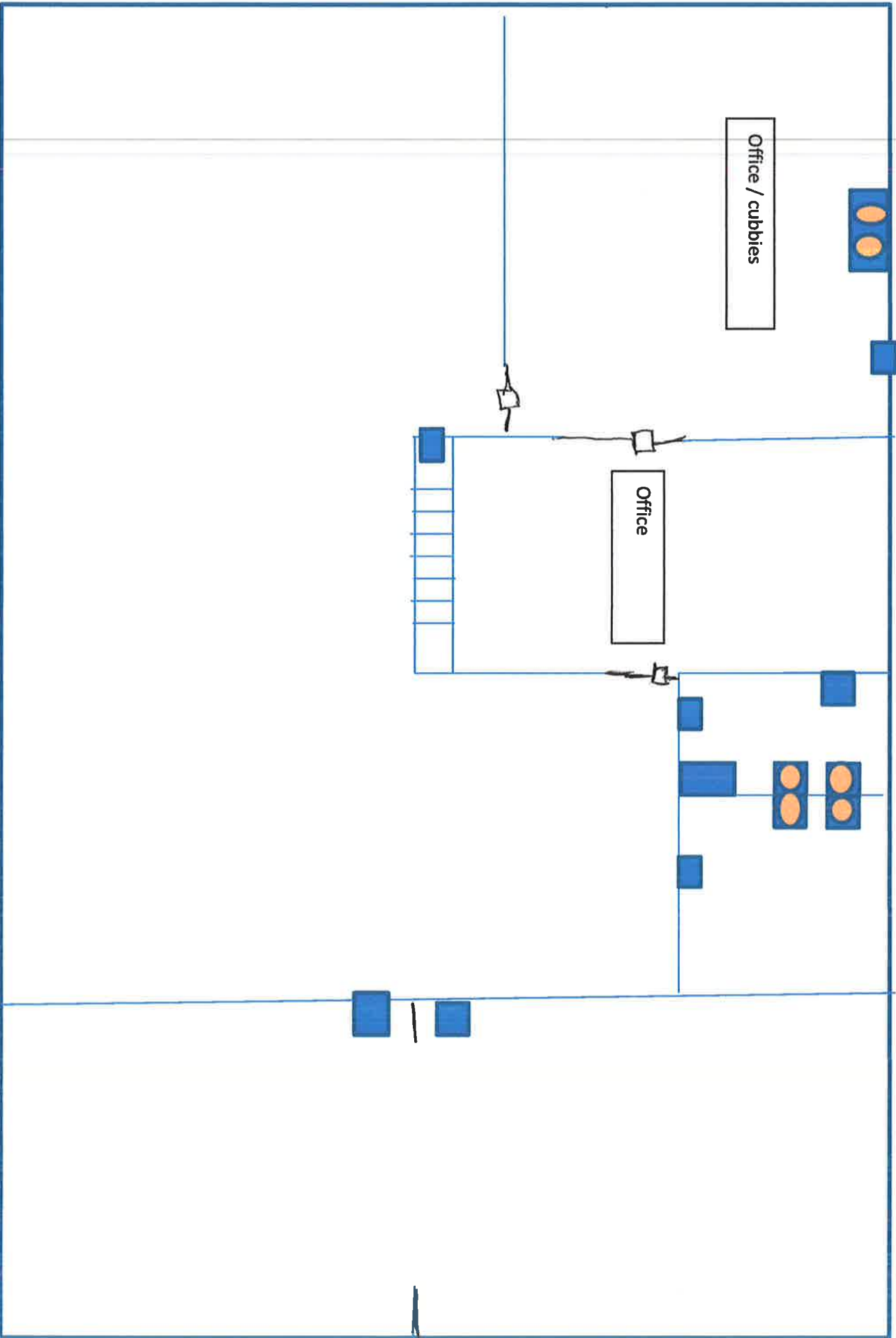
Please review this request and we hope to receive a positive outcome that can allow us to service more children at our center. Thank you for your time and have a wonderful month.

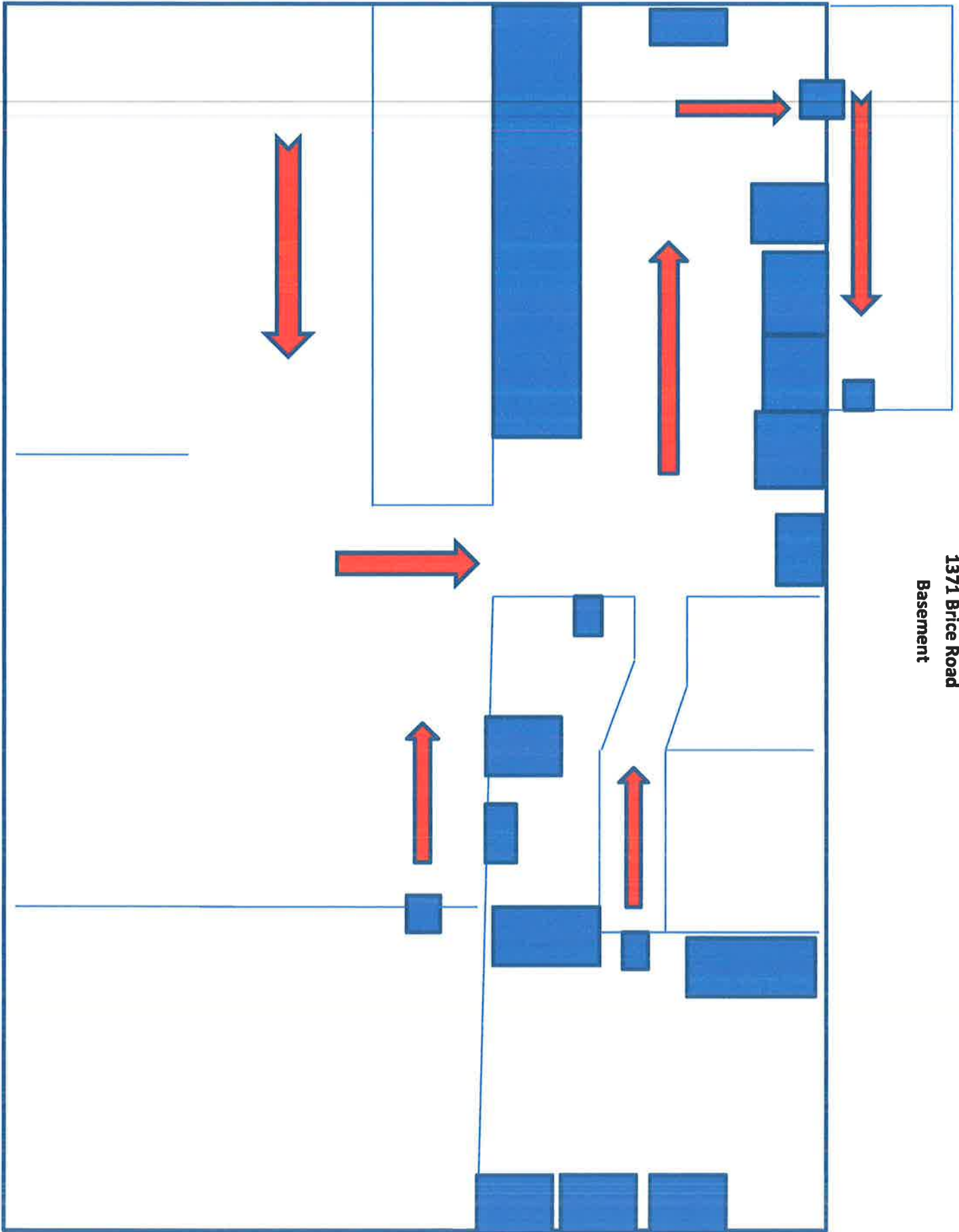
Sincerely,

Rosana Martinez
Director/Owner

Attachment: App #2020-5325 (App #2020-5325, 1371 Brice Road, Rosana Martinez)

ROMAKE LEARNING ACADEMY
1371 BRICE ROAD





Romake Learning Academy
1371 Brice Road
Basement

Attachment: App #2020-5325 (App #2020-5325, 1371 Brice Road, Rosana Martinez)



OUR OFFICE

SEARCH

ONLINE TOOLS

REFERENCE

CONTACT US

Summary

Land Profile

Residential

Commercial

Improvements

Permits

Mapping

Sketch

Photo

StreetSmart

Aerial Photos

Transfers

BOR Status

CAUV Status

Tax & Payments

Tax Distribution

Tax Calculators

Value History

Rental Contact

Incentive Details

Quick Links

Parcel ID: 060-001122-00

KNOPP FRED J

Map Routing: 060-O102J -020-00

1371 BRICE RD

1 of 1

[Return to Search Results](#)

Actions

- Neighborhood Sales
- Proximity Search
- Printable Version
- Custom Report Builder

Reports

Go

OWNER

Owner KNOPP FRED J
KNOPP FRANCESCA
Owner Address 936 HILTON DR
REYNOLDSBURG OH 43068

Legal Description 1371 BRICE RD
R21 T12 S14
1/4 S 21 AC .922
Calculated Acres .93
Legal Acres 0

Tax Bill Mailing

View or Change on the Treasurer's Website

If you have recently satisfied or refinanced your mortgage, please visit the above link to review your tax mailing address to ensure you receive your tax bill and other important mailings.

[View Google Map](#)[Print Parcel Summary](#)

MOST RECENT TRANSFER

Transfer Date NOV-14-2001
Transfer Price \$190,000
Instrument Type SU

2019 TAX STATUS

Property Class C - Commercial
Land Use 470 - DWELLING CONVERTED TO OFFICE
Tax District 060 - CITY OF REYNOLDSBURG
School District 2509 - REYNOLDSBURG CSD [SD Income Tax]
City/Village REYNOLDSBURG CITY
Township TRURO TWP
Appraisal Neighborhood X6203
Tax Lien No
CAUV Property No
Owner Occ. Credit 2019: No 2020: No
Homestead Credit 2019: No 2020: No
Rental Registration No
Board of Revision No
Zip Code 43232

2019 CURRENT MARKET VALUE

	Land	Improvements	Total
Base	140,300	44,700	185,000
TIF			
Exempt			
Total	140,300	44,700	185,000
CAUV	0		

2019 TAXABLE VALUE

	Land	Improvements	Total
Base	49,110	15,650	64,760
TIF			
Exempt			
Total	49,110	15,650	64,760

2019 TAXES

Net Annual Tax:	Total Paid:	CDQ:
5,945.70	5,945.70	

DWELLING DATA

Yr Built	Tot Fin Area	Rooms	Bedrooms	Full Baths	Half Baths
1962	1,653	6		1	

SITE DATA

Frontage	Depth	Acres	Historic District
		.92	

Disclaimer:

The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

Powered by iasWorld Public Access™. All rights reserved.

Google Maps 1371 Brice Rd

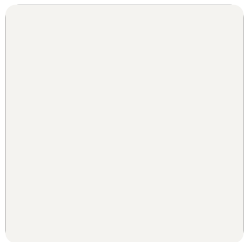


Image capture: Aug 2019 © 2020 Google

Reynoldsburg, Ohio



Street View



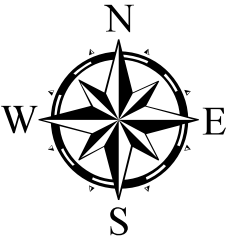


Printed Date: 8/11/2020

The City of Reynoldsburg Utility GIS

Map Title

1 inch = 94 feet



CITY OF REYNOLDSBURG

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

D.2.a

App./Case#: 2020 5331

Date Submitted: AUG 07 2020

Fee Amount: 450.00

Section 1139

BOARD OF ZONING & BUILDING APPEALS APPLICATION

☒ Paid: CASH

I. PROPERTY INFORMATION

Property Address:

6995 East Main St

Parcel ID#(s):

II. PROPERTY OWNER OF RECORD

Property Owner Name(s):

Huntington bank

Contact is Argirios Ragias

Contact Email:

Argirios.Ragias@huntington.com

Contact Phone Number:

614-331-5417

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name:

Integrity Art Collective INC.

Contact Name:

Chris Crabtree

Contact Phone Number:

614 623 5696

Contact Email:

Integrityartcollective@outlook.com

Description of Use:

Tattoo and Piercing

IV. APPLICANT INFORMATION

Applicant Name:

Chris Crabtree

Applicant Address

5648 Beecher rd, Granville, Ohio 43031

Applicant Phone Number:

614-623-5696

Applicant Email:

Lakie1985@gmail.com

☐ Property Owner

☒ Business Owner/Tenant

☐ Contractor

☐ Architect/Engineer

PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLICABLE:

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

Please see the attached document

☐ Special Exception Use Permit (\$350):

☐ Other:

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

Applicant Signature: Chris Crabtree

Date: 8/6/20

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

OFFICE USE ONLY

Additional Notes:

Zoning Information

Zoning District: EMD

☐ Historic District

☐ CC Overlay

Add'l Approvals Req'd

☐ Planning Commission

☐ Other:

BZBA Meeting

Date: 8/20/2020

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Tabled

☐ Denied

City Council Meeting

Date:

☐ No Action Taken

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Denied

P&Z Admin.:

Date:

Clerk of Council:

Date:

To whom it may concern,

If your committee will grant approval for a tattoo Studio at 6995 East Main St., Reynoldsburg Ohio 43068 it will benefit the city of Reynoldsburg. There are Tattoo studios in all the areas surrounding Reynoldsburg, one is on main St. right before the 270 exits, but it is just passing the edge of Reynoldsburg and has a Columbus address. There is another on Scarborough Blvd. off Brice rd. but that is also considered Columbus. Both shops have Reynoldsburg clients as well as several other locations in the Columbus area. The city of Reynoldsburg has had at least 2 different beauty salons that do permanent makeup (which is a form of tattooing), one of those salons is still in operation (Swayh Beauty on 2020 Brice rd. suite 120, Reynoldsburg Ohio). The regulations/requirements for permanent makeup are the exact same as tattooing. Part of our business plan is going to be doing permanent makeup. One of our artists grew up in Reynoldsburg and still resides here. He is currently working in a shop in Hilliard and a lot of his personal clients are from Reynoldsburg, but they are driving to Hilliard for the service that he provides. Allowing us to open a shop in Reynoldsburg will allow residents access to a premier tattoo studio right in town which will also generate revenue for the city of Reynoldsburg.

Our plan to help the community

We are planning to work with Survivor's Ink which is a non-profit organization that helps human trafficking victims by beautifying, removing or covering their physical scars, markings and brandings that are a constant reminder of a violent past. We are also planning to implement an "Erase the Hate" campaign. It is directed at covering racist and gang affiliated tattoos free of charge. We will also be donating to Toys for Tots during the months of October and November

I have had this location for the last 3 years. I previously had an insurance agency at the location. I have donated to the Focus learning academy and did an "x the text" campaign at the Reynoldsburg high school where over 200 students pledged to not text and drive. I have a good working relationship with the other business that are located within the local community and look forward to furthering that relationship.

Thank you for your consideration!

Sincerely,

Christopher Crabtree

Attachment: App #2020-5331 (App #2020-5331, 6995 East Main Street, Chris Crabtree)

Google Maps 6995 US-40

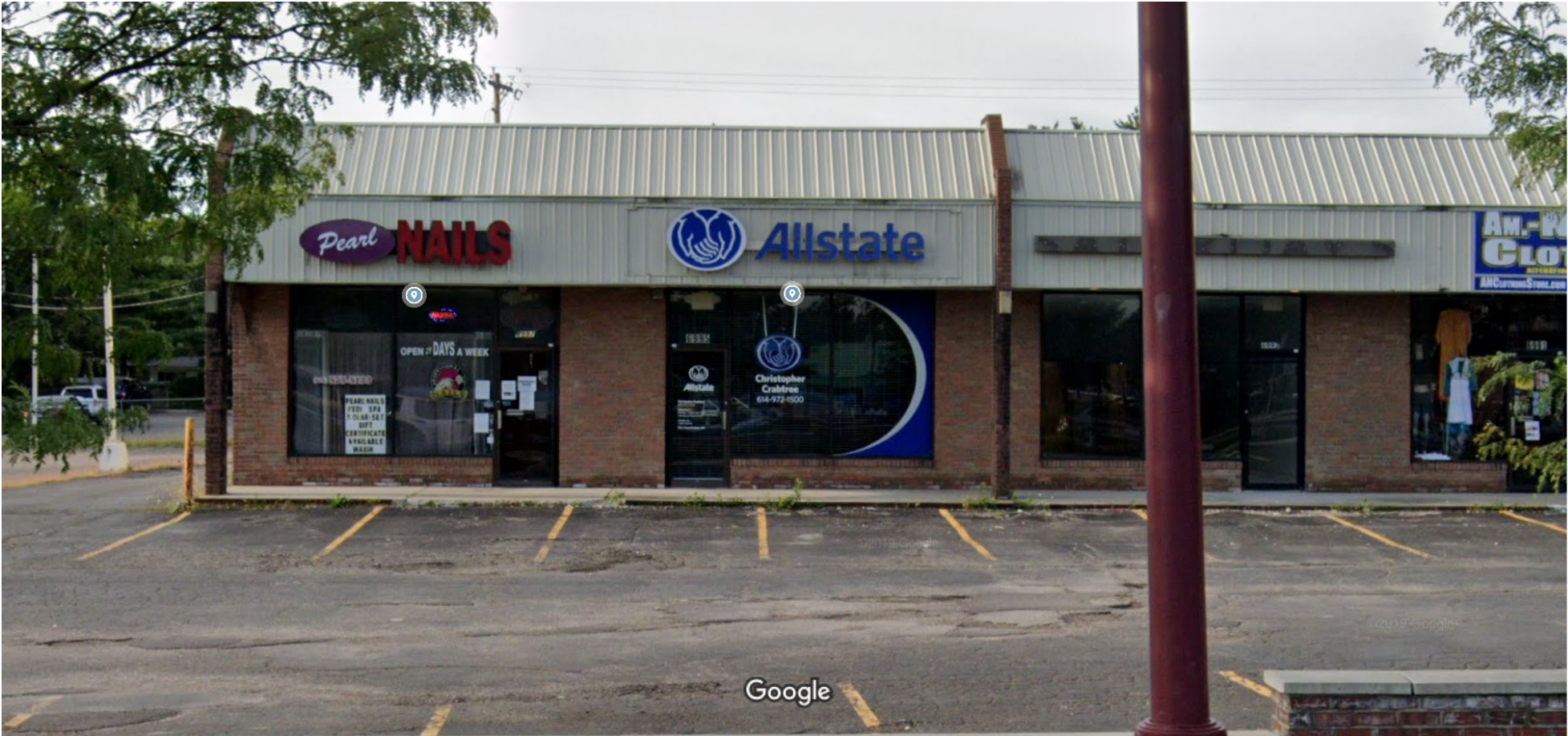
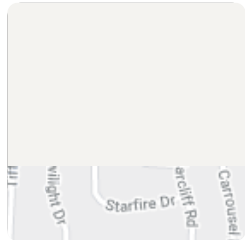


Image capture: Aug 2019 © 2020 Google

Reynoldsburg, Ohio



Street View





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

App./Case#: 2020-5338
Date Submitted: 8/10/2020
Fee Amount: \$450

Section 1139
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☐ Paid: _____

I. PROPERTY INFORMATION

Property Address: 2364
2634 Taylor Park Drive, Reynoldsburg, OH Parcel ID#(s):
0440379100

II. PROPERTY OWNER OF RECORD

Property Owner Name(s):
Chick-fil-A, Inc. - Jenn Santelli
Contact Email: jenn.santelli@cfacorp.com Contact Phone Number:
404-765-8000

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: Chick-il-A Contact Name: Jenn Santelli
Contact Phone Number: 404-765-8000 Contact Email: jenn.santelli@cfacorp.com

Description of Use:
Proposed quick serve restaurant with dual lane drive-thru

IV. APPLICANT INFORMATION

Applicant Name: GBC Design, Inc. - Allan Wiley Applicant Address: 565 White Pond Drive, Akron, OH 44320
Applicant Phone Number: 330-836-0228 Applicant Email: awiley@gbcdesign.com

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

PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLICABLE:

Variance (☒ Non-Residential (\$450) / ☐ Residential (\$100)): We request a variance to the maximum building setback of 20' to 81.20',
45.17' and 48.73' respectively to State Route 256, Taylor Road and Taylor Park Drive.

☐ Special Exception Use Permit (\$350): _____
☐ Other: _____

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

Applicant Signature: Allan Wiley

Digitally signed by Allan Wiley
Date: 2020.08.10 08:54:45 -0400

Date: 8/10/2020

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

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: CC

☐ Historic District

☒ CC Overlay

Add'l Approvals Req'd

☒ Planning Commission

☐ Other: _____

BZBA Meeting

Date: 8/20/2020

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

City Council Meeting

Date: _____

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

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

GBC DESIGN, INC.

565 White Pond Drive • Akron, OH 44320-1123 • Phone 330-836-0228 • Fax 330-836-5782 • www.GBCdesign.com

August 10, 2020

Subject: **Chick-fil-A #4248 Reynoldsburg
Variance Request
GBC Project No. 50311A**

A property owner seeking a Variance shall submit a written request for Variance on forms provided by the Planning & Zoning Administrator. Such request shall include the following:

- 1) Name, address, and telephone number of the property owner(s) and owner's agent(s).

Property Owner: *Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349
Jenn Santelli
404-765-8000*

Agent: *GBC Design, Inc.
565 White Pond Drive, Akron, OH 44320
Allan Wiley
330-836-0228*

- 2) Legal description, address, tax district and parcel number of the property.

Legal description: *A parcel of land situated in the State of Ohio, County of Fairfield, City of Reynoldsburg, Section 20, Township 16, Range 20, Refugee Lands, and being 2.16 acres of that tract as conveyed to Ardmere of Ohio, Ltd., of Record in Deed Book 650, Page 697 in the Deed records for Fairfield, County, and being more particularly described as follows:*

COMMENCING at the centerline intersection of State Route 256 and Taylor Road Extension and running thence S72°27'43"W crossing said State Route 256, a distance of 66.14 feet to a point in the Westerly right-of-way line of said State Route 256; thence run S05°30'07"E along said right-of-way line for a distance of 69.52 feet to the POINT OF BEGINNING for the herein described parcel of land; thence continue along said right-of-way line running S05°27'28" E for a distance of 421.21' to a found 1/2" capped rebar stamped "EMHT"; thence run S81°04'24"W for a distance of 144.52' to a found 1/2" capped rebar stamped "EMHT"; thence run S60°05'11"W for a distance of 55.96'; thence run N15°30'07"W for a distance of 376.95'; thence run with a curve turning to the right and having a radius of 28.50 feet, an arc length of 37.42', and having a chord bearing and distance of N32°51'43"E 34.79'; thence run N70°28'41"E for a distance of 226.22'; thence run with a curve turning to the right and having a radius of 20.17', an arc length of 20.17', and having a chord bearing and distance of N85°28'14"E 19.94' to the point of beginning, and containing 2.161 acres, more or less.

Address: 2364 Taylor Park Drive, Reynoldsburg, OH

Tax District:

Parcel Number: 0440379100

Attachment: 2020-8-10 BZBA Variance Narrative (App #2020-5338, 2364 Taylor Park Drive, Allan Wiley (GBC Design, Inc.))

- 3) Description of the nature of the variance requested and a statement demonstrating the extent to which the requested Variance conforms to the standards for variance in the Code (see section 1147.05).

We respectfully request a variance from Section 1109.21 (III) Maximum Front Yard Setback of the Zoning Code to allow the Chick-fil-A building to be more than 20' from the right-of-way line. The requested setbacks are as follows: 81.20' from State Route 256 right-of-way, 45.17' from Taylor Road and 48.73' from Taylor Park Drive.

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.

The requested variance to allow the Chick-fil-A building to be setback further than the maximum building setback is in accordance with the general purpose and intent of the regulations and shall not be injurious to the area or detrimental to the public welfare. The Chick-fil-A building will be situated with similar setbacks to the other buildings in the area.

- (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.)

The variance will not grant Chick-fil-A permission for a prohibited use as listed in the Zoning Code.

- (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.

The Chick-fil-A lot is a corner lot and is surrounded on three sides by public streets. Therefore, the lot has three front yards requiring a 20' maximum building setback. Chick-fil-A utilizes prototypical buildings for their new restaurants, and they have selected one of their longest buildings for this location. Even with the long building, it is difficult to meet the setback requirements because there are three setbacks that the building needs to touch. Also, the use is a restaurant with a drive thru. The pavement for Chick-fil-A's drive-thru is approximately 24' wide and due to the preferred building location on this site, the drive-thru needs to be located between the building the right-of-way. Because of the necessary drive-thru pavement width, the building cannot be within 20' of the right-of-way as the code requires.

- (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 of 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.

Chick-fil-A purchased this property in April 2018 prior to this code being in place. Strict application of the code would result in a completely new layout of the site and would require all pedestrians to cross the drive-thru on their way in to and out of the restaurant. This results in unnecessary pedestrian/automobile conflicts on the site.

- (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.

The building location variance is necessary to provide a safer use of the land and is the minimum variance necessary.

- (f) The variance will not impair an adequate supply of light or 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.

The granted variance will not impair an adequate supply of light or air to the adjacent properties, 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.

The granted variance will not provide Chick-fil-A any special privilege that is denied by the Zoning Code.

- (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.

These items are not being considered as grounds for the granted variance.

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

The variance requested is not a matter of convenience. Chick-fil-A requires the isolated drive-thru lane configuration to promote pedestrian safety at this location. Because of this, the drive-thru pavement will fall between the building and the right-of-way. Since Chick-fil-A's drive-thru pavement width is 24', the building will be set farther back than the 20' maximum building setback.

4) Statement of the hardship.

Chick-fil-A purchased this property in April 2018 prior to this code being in place. Also, the Chick-fil-A lot is a corner lot and is surrounded on three sides by public streets. Therefore, the lot has three front yards and three maximum building setbacks that the building will need to touch in order to be in compliance. Chick-fil-A utilizes prototypical buildings for new stores and isolated drive-thru layouts to promote pedestrian safety on the site. Their drive-thrus are 24' wide and need to be placed between the building and right-of-way to promote pedestrian safety.

Chick-fil-A #4248 Reynoldsburg
Page 4 of 4
August 10, 2020

Because of the drive-thru location the building cannot be a maximum of 20' from the right-of-way.

- 5) Such other information and exhibits as may be appropriate to establish the facts of the appeal and the grounds for relief.

The location of the Chick-fil-A building will be situated with similar setbacks to the other buildings in the area and along State Route 256. A copy of Chick-fil-A's deed is included for reference.

Attachment: 2020-8-10 BZBA Variance Narrative (App #2020-5338, 2364 Taylor Park Drive, Allan Wiley (GBC Design, Inc.))



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998

GBC DESIGN, INC.

565 White Pond Dr.
Akron, OH 44320-1123
Phone 330-836-0228 Fax 330-836-5782

CHICK-FIL-A
REYNOLDSBURG FSU
2364 TAYLOR PARK DRIVE
REYNOLDSBURG, OHIO 43068

FSU# 04248

REVISION SCHEDULE
NO. DATE DESCRIPTION

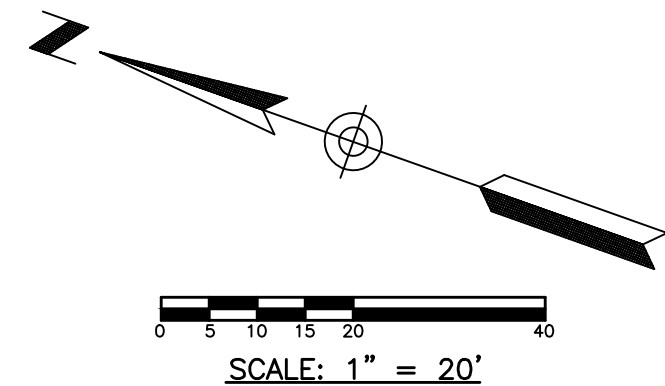
GBC PROJECT # 50311
PRINTED FOR
DATE 7/24/20
DRAWN BY BAW

Information contained on this drawing and in all digital files produced for above named project may not be reproduced in any manner without express written or verbal consent from authorized project representatives.

SHEET
SKETCH PLAN J

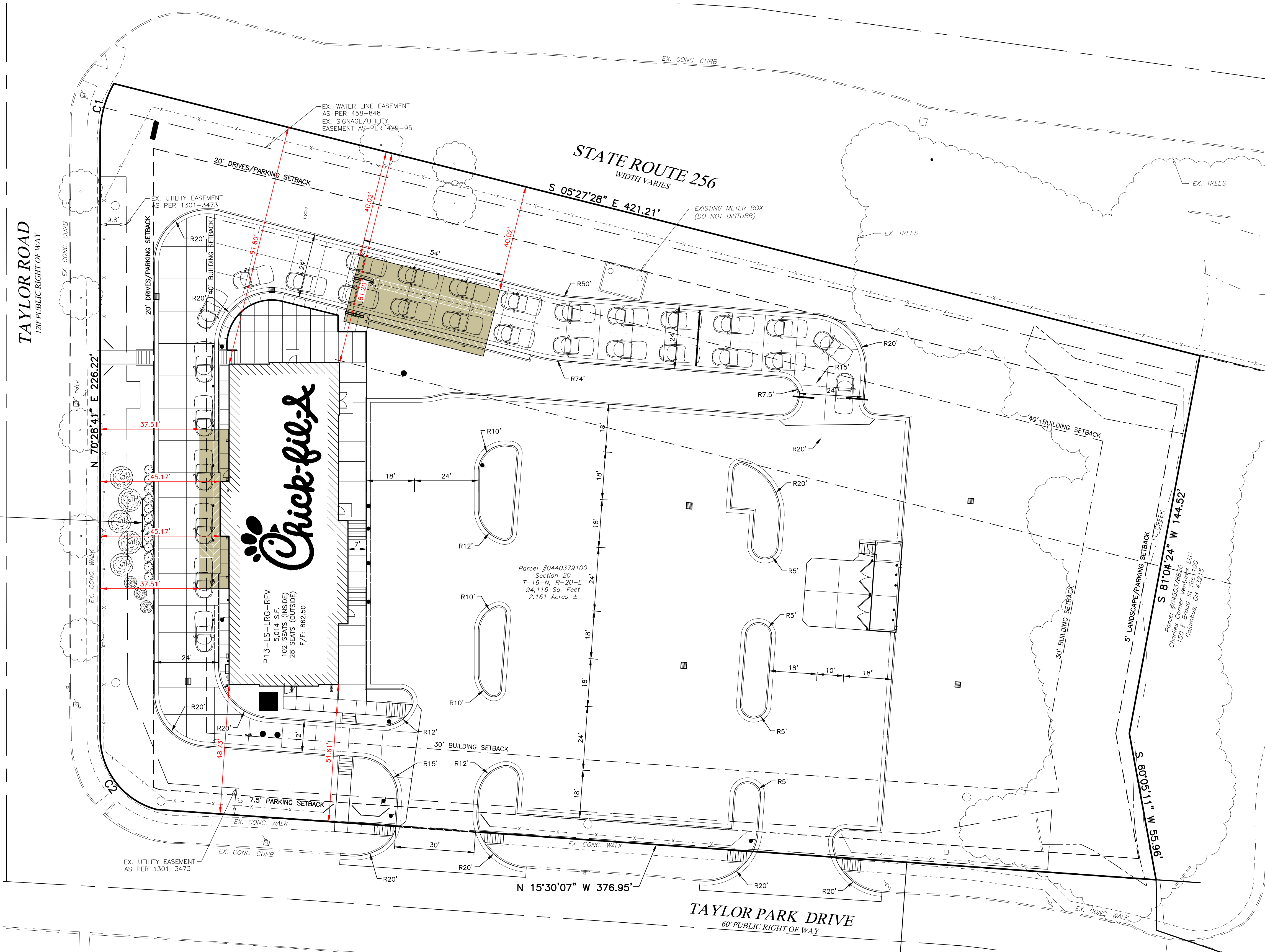
SHEET NUMBER

1 OF 1



LEGEND

- PROP. FIRE HYDRANT
- EX. FIRE HYDRANT
- PROP. VALVE
- EX. VALVE
- PROP. MANHOLE
- EX. MANHOLE
- PROP. INLET
- EX. BOX INLET
- EX. LIGHT POLE
- PROP. LIGHT POLE
- PROP. ACCESSIBLE RAMP - RAMP IS NOT TO BE SCORED OR GROOVED
- EX. CURB
- PROP. CURB & GUTTER
- PROP. ASPHALT PAVEMENT
- PROP. CONCRETE PAVEMENT/WALK



BY GRAPHIC PLOTTING OF THE INFORMATION SHOWN ON FLOOD INSURANCE RATE MAP NO. 39049C0366K, DATED JUNE 17, 2008, THE PROPERTY SHOWN ON SURVEY LIES WITHIN:
ZONE X, AREA OF MINIMAL FLOOD HAZARD.
*FLOOD STATEMENT DOES NOT GUARANTEE AGAINST LOCALIZED FLOODING.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	20.17'	38.50'	30°00'35"	10.32'	19.94'	N 85°28'14" E
C2	37.42'	28.50'	75°13'47"	21.96'	34.79'	N 32°51'43" E

CONTRACTOR RESPONSIBLE TO FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITY TIE-INS AND CROSSINGS AS SHOWN ON SITE PLANS (SANITARY, STORM, WATER, GAS, ELECTRIC, PHONE, ETC.) PRIOR TO THE START OF CONSTRUCTION. CONTACT ALLAN WILEY AT GBC DESIGN, INC., 330-836-0228, WITH ANY CONCERNS OR CONFLICTS PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR TO VERIFY THE THICKNESS OF ANY OFF-SITE PAVEMENT (ASPHALT AND CONCRETE) AND SIDEWALK SO THE RESTORATION WORK IS INCLUDED IN THE BID.



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998

GBC DESIGN, INC.

565 White Pond Dr.
Akron, OH 44320-1123
Phone 330-836-0228 Fax 330-836-5782

CHICK-FIL-A
REYNOLDSBURG FSU
2364 TAYLOR PARK DRIVE
REYNOLDSBURG, OHIO 43068

FSU# 04248

REVISION SCHEDULE
NO. DATE DESCRIPTION

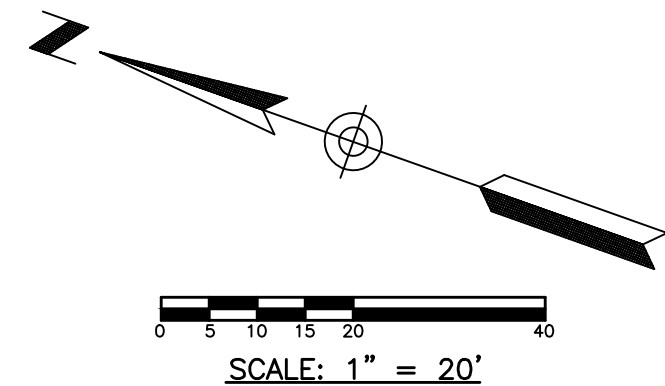
GBC PROJECT # 50311
PRINTED FOR
DATE 8/10/20
DRAWN BY BAW

Information contained on this drawing and in all digital files
produced for above named project may not be reproduced in
any manner without express written or verbal consent from
authorized project representatives.

SHEET
SKETCH PLAN K

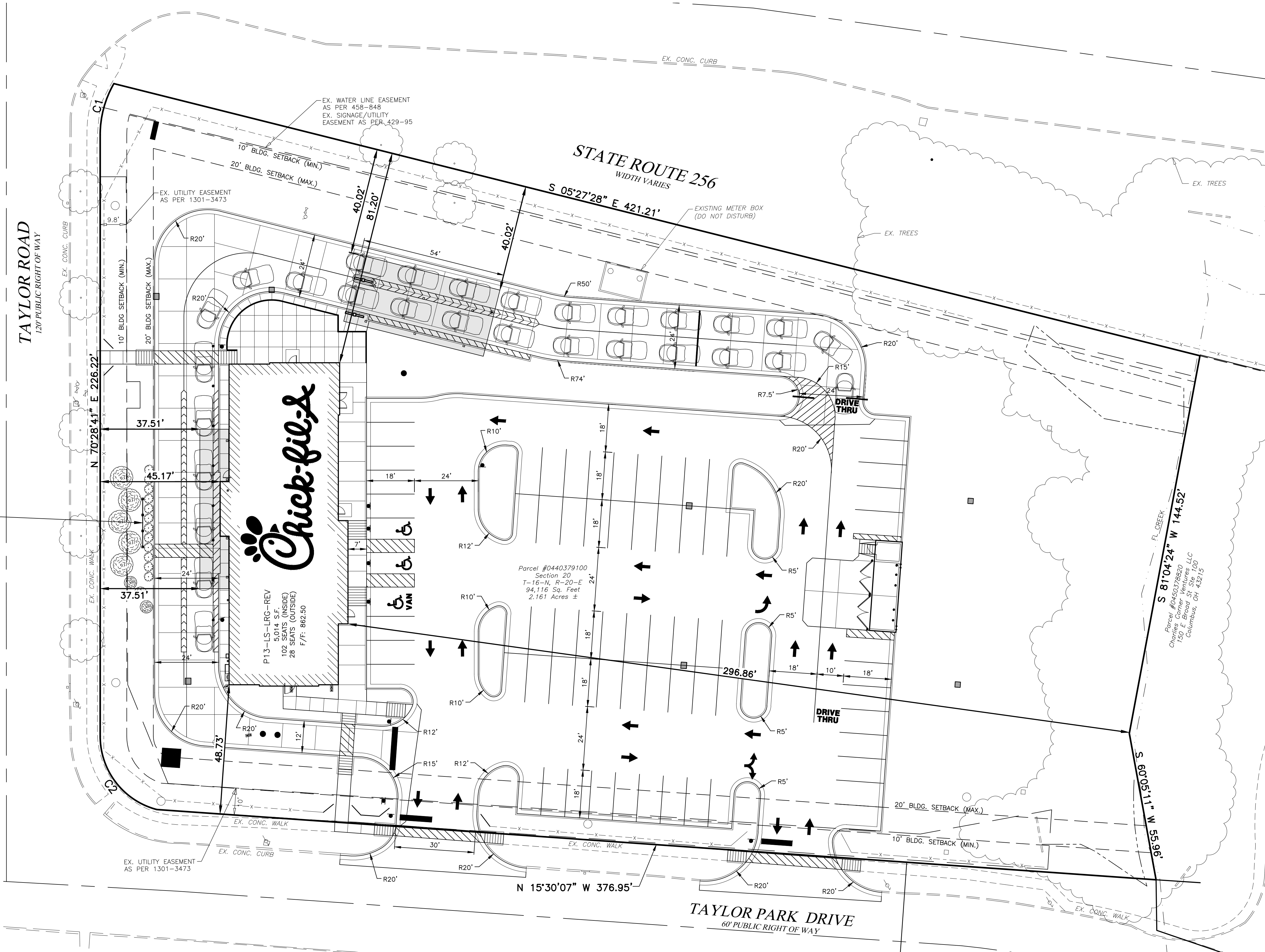
SHEET NUMBER

1 OF 1



LEGEND

- PROP. FIRE HYDRANT
- EX. FIRE HYDRANT
- PROP. VALVE
- EX. VALVE
- PROP. MANHOLE
- EX. MANHOLE
- PROP. INLET
- EX. BOX INLET
- EX. LIGHT POLE
- PROP. LIGHT POLE
- PROP. ACCESSIBLE RAMP -
RAMP IS NOT TO BE
SCORED OR GROOVED
- EX. CURB
- PROP. CURB & GUTTER
- PROP. ASPHALT PAVEMENT
- PROP. CONCRETE
PAVEMENT/WALK



PROP. 8' HIGH WINDSCREEN
FENCE & LANDSCAPE MATERIALS

CONTRACTOR RESPONSIBLE TO FIELD VERIFY LOCATIONS
AND ELEVATIONS OF EXISTING UTILITY TIE-INS AND
CROSSINGS AS SHOWN ON SITE PLANS (SANITARY, STORM,
WATER, GAS, ELECTRIC, PHONE, ETC.) PRIOR TO THE
START OF CONSTRUCTION. CONTACT ALLAN WILEY AT GBC
DESIGN, INC., 330-836-0228, WITH ANY CONCERNS OR
CONFLICTS PRIOR TO THE START OF CONSTRUCTION.
CONTRACTOR TO VERIFY THE THICKNESS OF ANY OFF-SITE
PAVEMENT (ASPHALT AND CONCRETE) AND SIDEWALK SO
THE RESTORATION WORK IS INCLUDED IN THE BID.

BY GRAPHIC PLOTTING OF THE INFORMATION SHOWN ON FLOOD
INSURANCE RATE MAP NO. 39049C0366K, DATED JUNE 17, 2008, THE
PROPERTY SHOWN ON SURVEY LIES WITHIN:
ZONE X, AREA OF MINIMAL FLOOD HAZARD.
*FLOOD STATEMENT DOES NOT GUARANTEE AGAINST LOCALIZED FLOODING.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	20.17'	38.50'	30°00'35"	10.32'	19.94'	N 85°28'14" E
C2	37.42'	28.50'	75°13'47"	21.96'	34.79'	N 32°51'43" E

TRANSFERRED

APR 11 2018 *UK*

Jon A. Slater, Jr.
County Auditor, Fairfield County, Ohio

REAL ESTATE CONVEYANCE

FEE \$ *6600-*

EXEMPT #

Jon A. Slater, Jr.
County Auditor, Fairfield County, Ohio

LIMITED WARRANTY DEED

201800005875
Filed for Record in
FAIRFIELD COUNTY, OH
GENE WOOD, COUNTY RECORDER
04-11-2018 At 01:02 pm.
DEED 60.00
OR Book 1762 Page 3233 - 3238

KNOW ALL MEN BY THESE PRESENTS, that ARDMORE OF OHIO LTD., an Ohio limited liability company ("Grantor"), for valuable consideration paid, hereby grants and conveys with limited warranty covenants to CHICK-FIL-A, INC., a Georgia corporation ("Grantee"), whose tax mailing address is 5200 Buffington Road, Atlanta, GA 30349, Attn: Legal Department – Real Estate, all of Grantor's right, title and interest in and to the following described real property, to wit:

ALL THAT TRACT OR PARCEL of land lying and being in Fairfield County, Ohio, being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Land"); TOGETHER WITH any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining to the Land, and any right, title and interest of Grantor in and to any land lying in the bed of any street, road or highway in front of or adjoining said Land, together with any strips or gores relating to the Land (the Land and the foregoing rights, easements and appurtenances being hereinafter collectively referred to as the "Property").

Parcel Nos. 0450378310 & 0440379100

Prior Instrument Reference: Official Records Volume 1248, Page 1406 Recorder's Office, Fairfield County, Ohio.

Subject to the matters set forth on Exhibit "B" attached hereto and made a part hereof by this reference.

[Signature page follows] IDENTITY TITLE INSURANCE CO.

ORDER NO. *17610320*

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed as of April 6, 2018.

GRANTOR:

ARDMORE OF OHIO LTD.,
an Ohio limited liability company

By: Vivian DuBose, as Manager
Vivian DuBose, its Manager

STATE OF GEORGIA

COUNTY OF DEKALB

BE IT REMEMBERED, that on the 5th day of April, 2018, before me, the subscriber, a Notary Public in and for said State, personally came Vivian DuBose, as Manager of Ardmore of Ohio Ltd., an Ohio limited liability company, the Grantor in the foregoing deed, and acknowledged the signing thereof to be the voluntary act and deed of said Manager on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Connie G. Gage
NOTARY PUBLIC

CONNIE G GAGE
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES SEPTEMBER 25, 2020

Instrument Prepared By:

Gary D. Knopf, Esq.
Troutman Sanders LLP
600 Peachtree Street, NE, Suite 5200
Atlanta, Georgia 30308

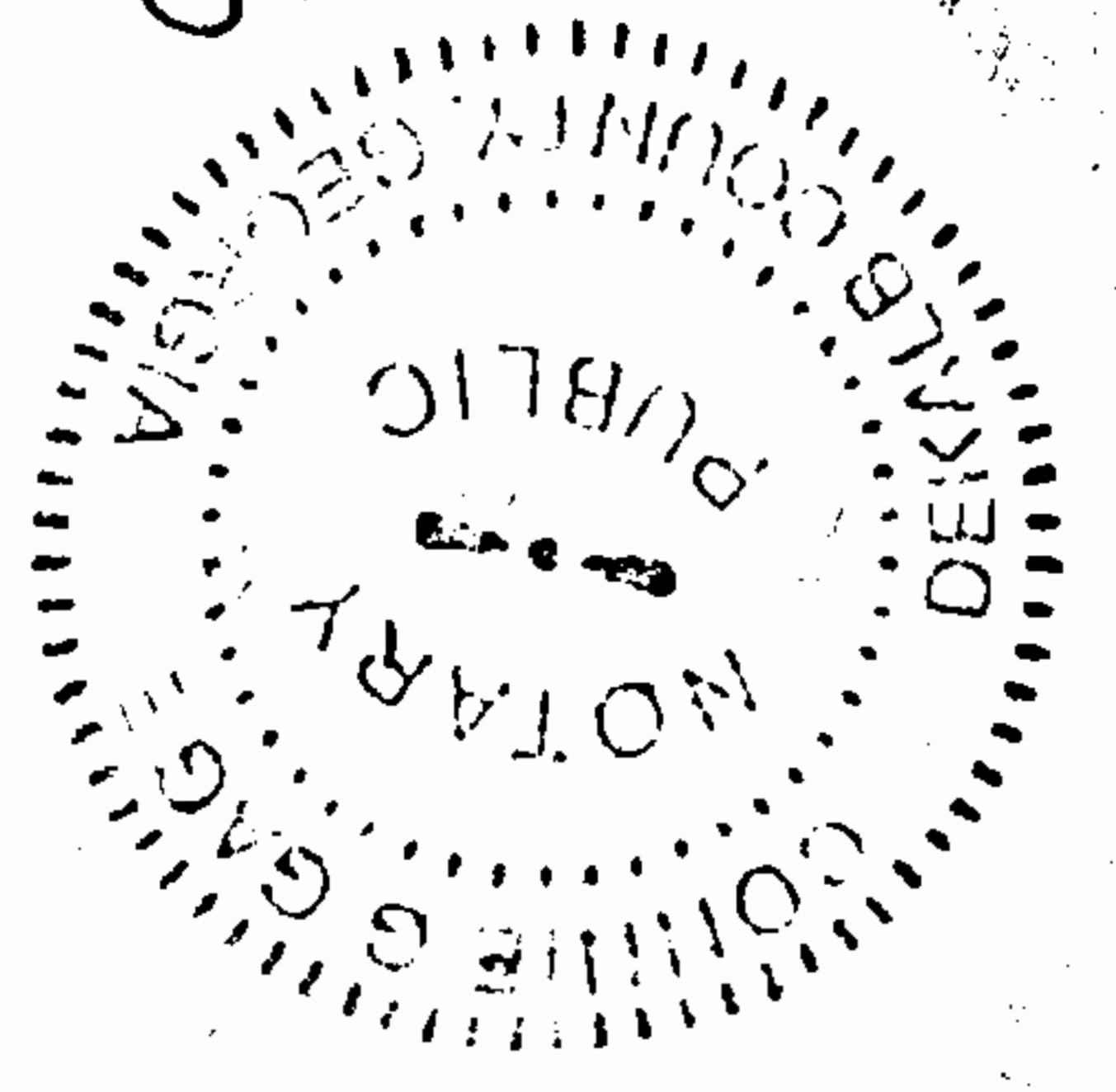


EXHIBIT "A"**LEGAL DESCRIPTION****2.164 ACRE**

Situated in the State of Ohio, County of Fairfield, City of Reynoldsburg, Section 20, Township 16, Range 20, Refugee Lands and being 0.210 acre out of that tract conveyed to Ardmore of Ohio, Ltd. by deed of record in Deed Book 663, Page 441 and 1.955 acre out of Parcel 7 as shown in the deed to Ardmore of Ohio, Ltd. by deed of record in Deed Book 650, Page 572 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a monument found marking Station 38+00 as shown on the centerline survey plat of State Route 256 shown on the Ohio Department of Transportation plans entitled FRA/FAI-256-0.77/0.00, said monument being South 19° 32' 27" East, a distance of 1001.89 feet, with the centerline of said State Route 256, from a monument found marking Station 48+01.95;

thence South 19° 32' 27" East, continuing with the centerline of said State Route 256, a distance of 26.91 feet to a point of curvature of a curve to the right;

thence southeasterly continuing with said centerline, the arc of said curve (Delta = 02° 02' 23", Radius = 3906.53 feet) a chord bearing and distance of South 18° 31' 15" East, 139.07 feet to a point;

thence South 72° 29' 56" West, across the limited access right-of-way of said State Route 256 a distance of 80.99 feet to an iron pin set in the westerly limited access right-of-way line of said State Route 256, the True Point of Beginning;

thence South 05° 40' 33" East with said westerly limited access right-of-way, a distance of 421.21 feet to a point;

thence across said Ardmore of Ohio, Ltd. tracts, the following courses and distances:

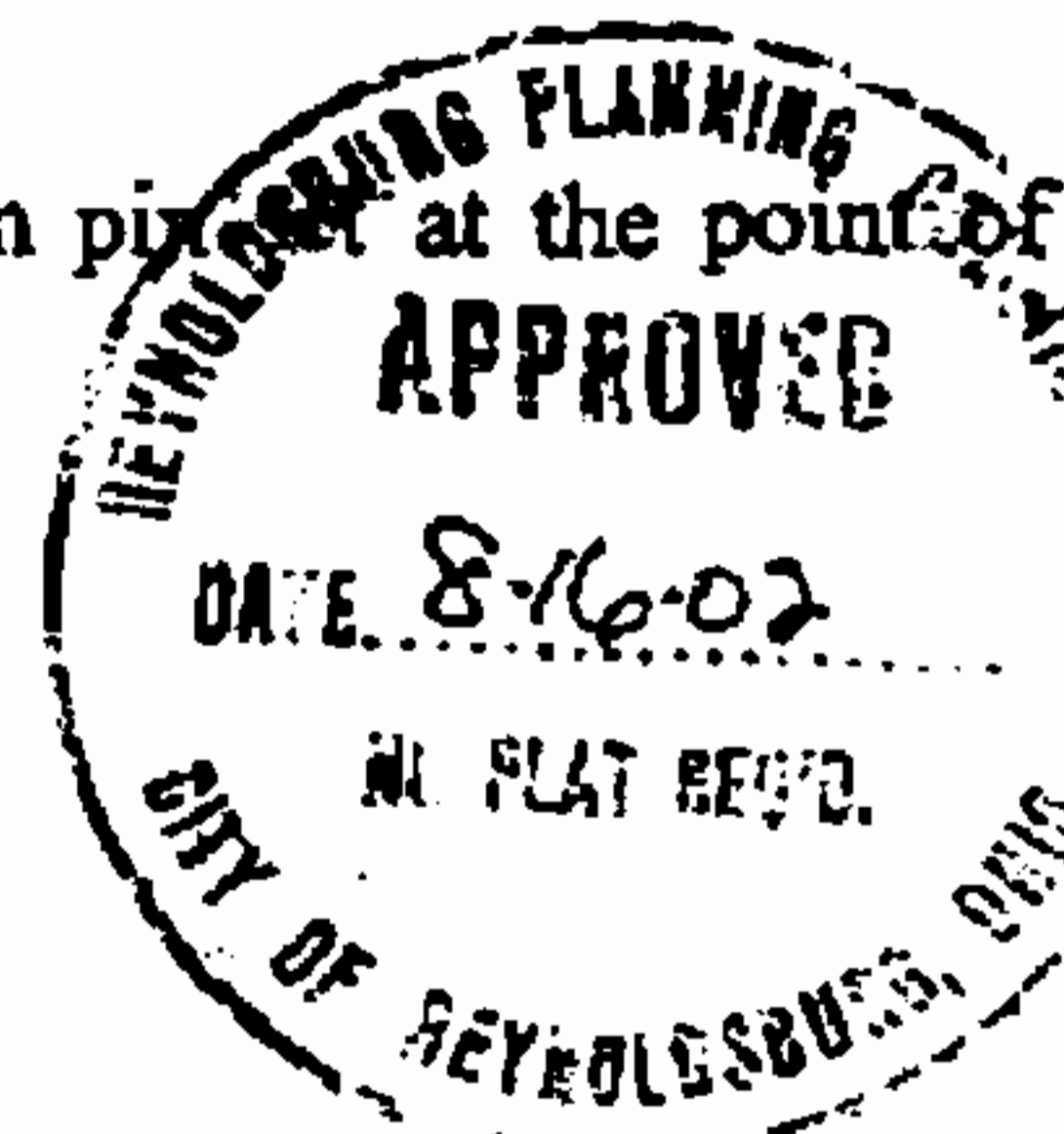
South 80° 54' 21" West, a distance of 144.55 feet to a point;

South 60° 02' 00" West, a distance of 56.23 feet to a point;

North 15° 40' 33" West, a distance of 376.95 feet to an iron pin set at a point of curvature of curve to the right;

northeasterly, with the arc of said curve (Delta = 75° 13' 47", Radius = 28.50 feet) a chord bearing and distance of North 32° 41' 17" East, 34.79 feet to an iron pin set at the point of tangency;

North 70° 18' 13" East, a distance of 226.21 feet to an iron pin set at the point of curvature of a curve to the right; and



2.164 ACRE

-2-

northeasterly, with the arc of said curve (Delta = $30^{\circ} 01' 12''$, Radius = 38.50 feet) a chord bearing and distance of North $85^{\circ} 18' 49''$ East, 19.94 feet to the True Point of Beginning and containing 2.164 acres of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths ($13/16$) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings are based on the same meridian as the bearings for the centerline survey of a portion of State Route 256, having a bearing of North $19^{\circ} 32' 27''$ West, as per Ohio State Plan Coordinate System, South Zone NAD83.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Clark E. White 8/16/02

Clark E. White
Registered Surveyor No. 7868

DESCRIPTION REVIEWED AND APPROVED
FOR TRANSFER ONLY. FAIRFIELD COUNTY
AUDITOR/ENGINEER TAX MAPS.

BY AS DATE 9/11/18

045-03783.10

044-03791.00

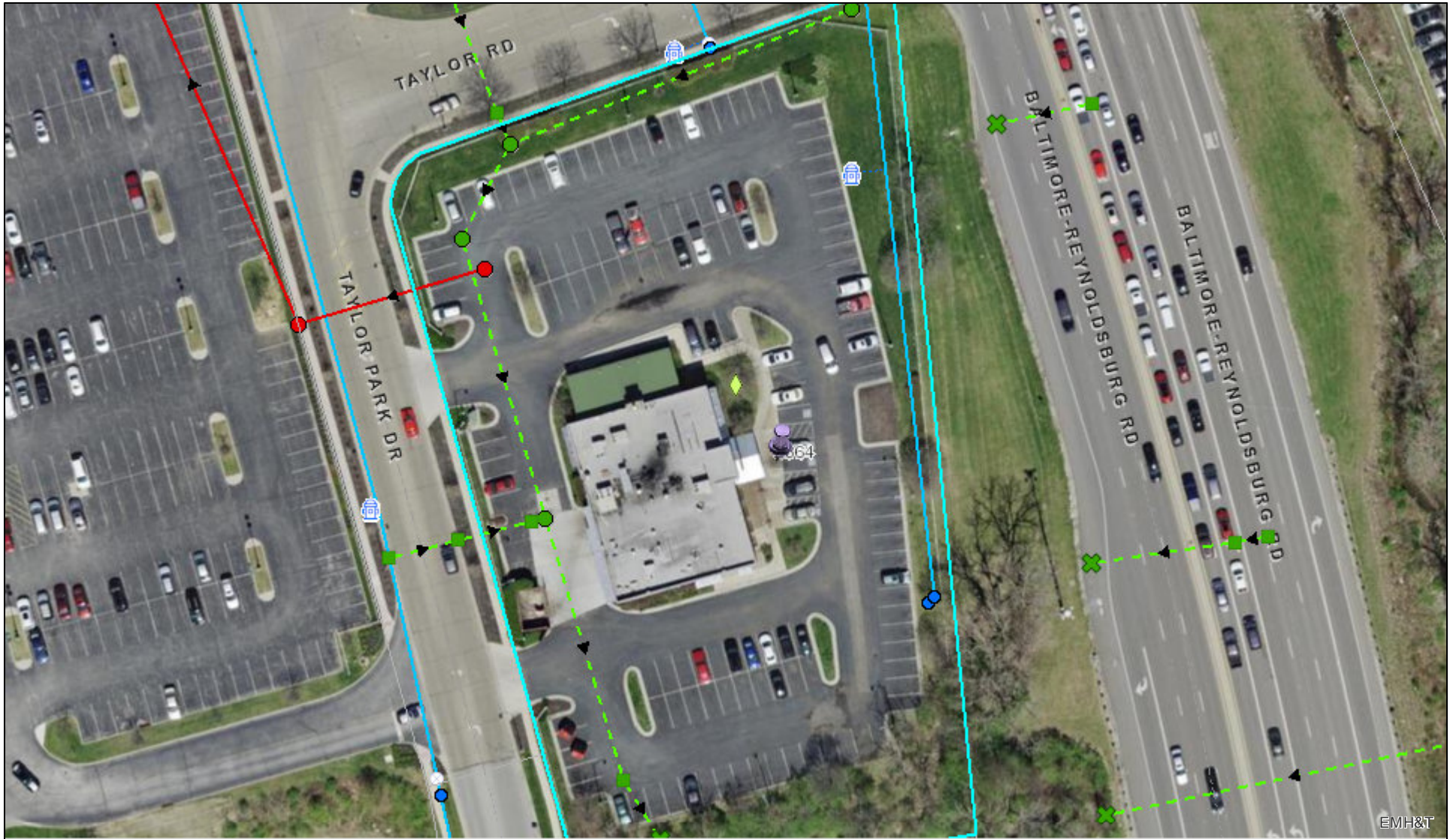
CEW:cew/aug02

EXHIBIT "B"**PERMITTED EXCEPTIONS**

1. Zoning ordinances.
2. Matters shown on survey prepared by Alaina J. Krejci, Registered Surveyor No. S-8625 for Blew & Associates P.A., dated January 10, 2018, last revised April 5, 2018, having Job No. 18-052.
3. Any lease, grant, exception or reservation of minerals or mineral rights together with any rights appurtenant thereto.
4. Right of Way for the purpose of maintaining the telephonic and power transmission and distribution, from Joseph C. Ashton Etux, to The Scioto Valley Railway and Power Company of Columbus, Ohio, filed for record April 23, 1932 and recorded in Volume 180, Page 448 of the Fairfield County Records.
5. Reciprocal Easement, Release of Easements and Restrictive covenant Agreement for the purpose of Ingress/Egress, from Midwest Restaurant Development, Inc., an Ohio corporation to Ardmore of Ohio Ltd., an Ohio limited liability company, filed for record August 20, 1997 and recorded in Volume 666, Page 446 and re-recorded in Volume 666, Page 456 of the Fairfield County Records and shown on survey prepared by Alaina J. Krejci, Registered Surveyor No. S-8625 for Blew & Associates P.A., dated January 10, 2018, last revised April 5, 2018, having Job No. 18-052.
6. Declaration of Covenants, by Ardmore of Ohio, Ltd., an Ohio limited liability company, filed for record September 01, 1999 and recorded in Volume 690, Page 282 and being re-filed on September 16, 1999 and re-recorded in Volume 690, Page 881 of the Fairfield County Records.
7. Utility Easement from Ardmore of Ohio, Ltd., an Ohio limited liability company, to The City of Reynoldsburg, an Ohio municipal corporation, filed for record August 19, 2003 and recorded in Volume 1301, Page 3473 of the Fairfield County Records and shown on survey prepared by Alaina J. Krejci, Registered Surveyor No. S-8625 for Blew & Associates P.A., dated January 10, 2018, last revised April 5, 2018, having Job No. 18-052.
8. Taxes for the second half of 2017 and subsequent years are a lien, but are not yet due and payable.
9. Terms and conditions of that certain Memorandum of Lease by and between Ardmore of Ohio, Ltd., an Ohio limited liability company and Logan's Roadhouse, Inc., a Tennessee corporation, dated February 26, 2001, recorded November 14, 2001 in OR Book 1184, Page 1542 of Fairfield County Records.
10. Easement contained in deed from Hannah J. Ashton, single to State of Ohio, filed for record February 11, 1966 and recorded in Volume 345, Page 266 of the Fairfield County Records.
11. Deed of Easement for the purpose of maintaining the water line, from Johnny John, Trustee, to City of Reynoldsburg, Ohio, a municipal corporation, filed for record April 21, 1976 and recorded in Volume 458, Page 848 of the Fairfield County Records and shown on survey prepared by Alaina J.

Krejci, Registered Surveyor No. S-8625 for Blew & Associates P.A., dated January 10, 2018, last revised April 5, 2018, having Job No. 18-052.

12. Easement & Right of Way for the purpose of maintaining the underground and communication, from Ardmore of Ohio Ltd., an Ohio limited liability company, to Columbus Southern Power Company, an Ohio corporation, filed for record August 7, 2001 and recorded in Volume 1168, Page 615 of the Fairfield County Records and shown on survey prepared by Alaina J. Krejci, Registered Surveyor No. S-8625 for Blew & Associates P.A., dated January 10, 2018, last revised April 5, 2018, having Job No. 18-052.
13. Right of Way for the purpose of maintaining the transmission and distribution of electric energy, from Hannah J. Ashton, to Ohio-Midland Light and Power Company, filed for record April 8, 1953 and recorded in Volume 250, Page 120 of the Fairfield County Records.
14. Easement contained in deed from Hannah J. Ashton, single to State of Ohio, filed for record February 11, 1966 and recorded in Volume 345, Page 268 of the Fairfield County Records.
15. Easement contained in deed from William Vernon Ashton and Jean Ashton, his wife to State of Ohio, filed for record February 16, 1966 and recorded in Volume 345, Page 264 of the Fairfield County Records.
16. Any right, interest or claim that may exist, arise or be asserted under or pursuant to The Perishable Agricultural Commodities Act of 1930, as amended, 7. U.S.C. 499A et seq., The Packers and Stockyard Act of 1921, as amended, 7 U.S.C. Section 181 et seq., or any similar state law.

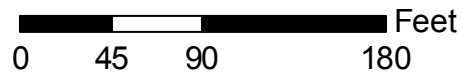


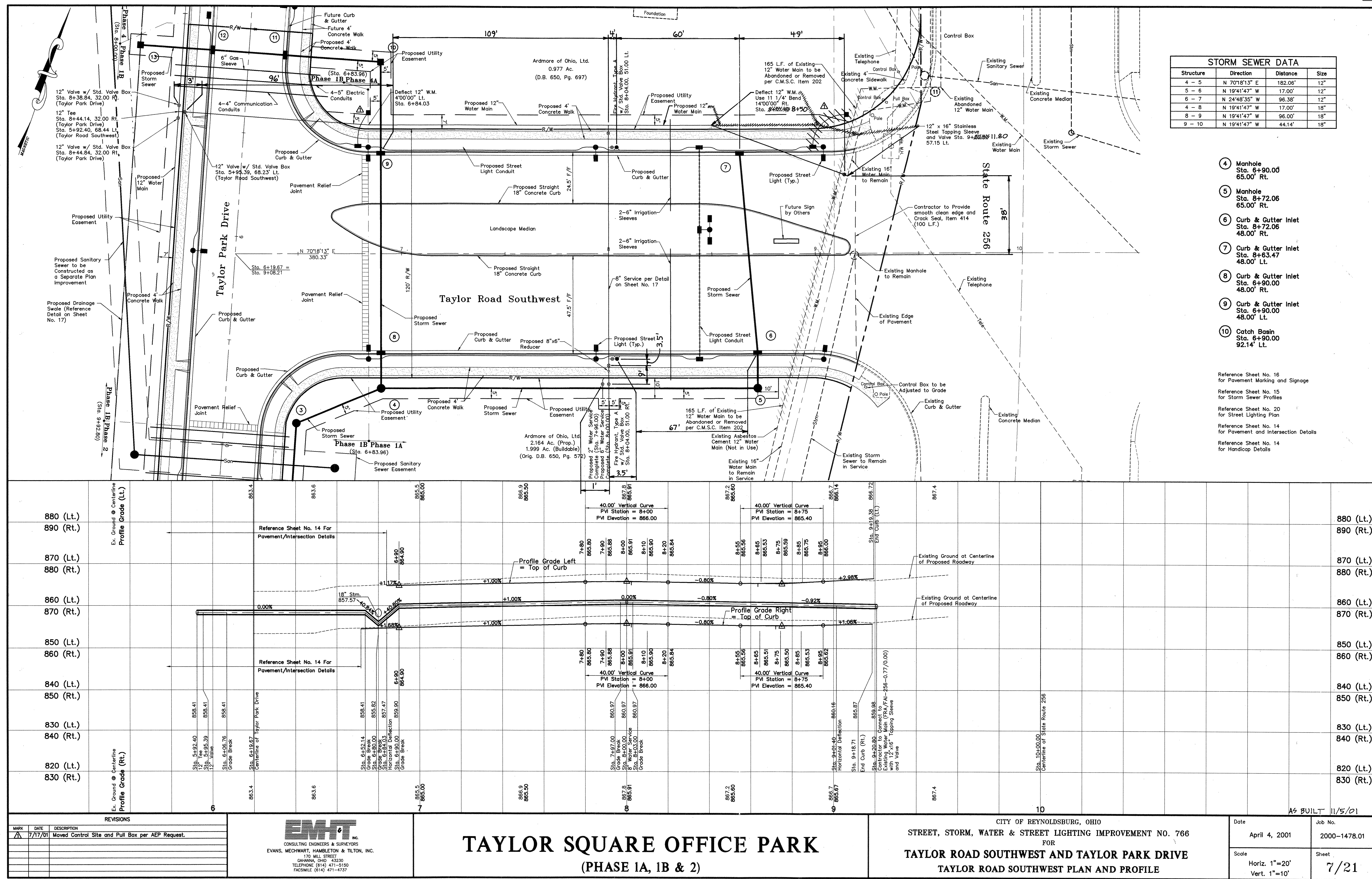
Printed Date: 8/5/2020

The City of Reynoldsburg Utility GIS

Map Title

1 inch = 94 feet





STORM SEWER DATA			
Structure	Direction	Distance	Size
4 - 5	N 70°18'13" E	182.06'	12"
5 - 6	N 19°41'47" W	17.00'	12"
6 - 7	N 24°48'35" W	96.38'	12"
4 - 8	N 19°41'47" W	17.00'	18"
8 - 9	N 19°41'47" W	96.00'	18"
9 - 10	N 19°41'47" W	44.14'	18"

- ④ Manhole Sta. 8+90.00 65.00' Rt.
- ⑤ Manhole Sta. 8+72.06 65.00' Rt.
- ⑥ Curb & Gutter Inlet Sta. 8+72.06 48.00' Rt.
- ⑦ Curb & Gutter Inlet Sta. 8+63.47 48.00' Lt.
- ⑧ Curb & Gutter Inlet Sta. 8+90.00 48.00' Rt.
- ⑨ Curb & Gutter Inlet Sta. 6+90.00 48.00' Lt.
- ⑩ Catch Basin Sta. 6+90.00 92.14' Lt.

Reference Sheet No. 16 for Pavement Marking and Signage
Reference Sheet No. 15 for Storm Sewer Profiles
Reference Sheet No. 20 for Street Lighting Plan
Reference Sheet No. 14 for Pavement and Intersection Details
Reference Sheet No. 14 for Handicap Details

REVISIONS		
MARK	DATE	DESCRIPTION
Δ	7/17/01	Moved Control Site and Pull Box per AEP Request.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
170 MILL STREET
GAHANNA, OHIO 43230
TELEPHONE (614) 471-5150
FACSIMILE (614) 471-4737

TAYLOR SQUARE OFFICE PARK

(PHASE 1A, 1B & 2)

CITY OF REYNOLDSBURG, OHIO
STREET, STORM, WATER & STREET LIGHTING IMPROVEMENT NO. 766
FOR
TAYLOR ROAD SOUTHWEST AND TAYLOR PARK DRIVE
TAYLOR ROAD SOUTHWEST PLAN AND PROFILE

Date	Job No.
April 4, 2001	2000-1478.01
Scale	Sheet
Horiz. 1"=20' Vert. 1"=10'	7/21



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

App./Case#: 2020-5332
Date Submitted: 8/10/2020
Fee Amount: \$450.00

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

☐ Paid: _____

I. PROPERTY INFORMATION

Property Address: 8617 Taylor Rd. SW Parcel ID#(s): 013-027564-00.000

II. PROPERTY OWNER OF RECORD

Property Owner Name(s): Amanda D. Clancy
Contact Email: _____ Contact Phone Number: _____

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: _____ Contact Name: Larry Vatri
Contact Phone Number: 614-271-2079 Contact Email: lvtr@aol.com
Description of Use: Development of 128 townhome living units comprised of 30 - 3 bedroom units and 98 - 2 bedroom units on 15.2 acres together with a clubhouse.

IV. APPLICANT INFORMATION

Applicant Name: Chris Bruzzese Applicant Address: Berardi + Partners, Inc., 1398 Goodale Blvd., Grandview Heights 43212
Applicant Phone Number: 614-221-1110 Applicant Email: cbruzzese@berardipartners.com

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

PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLICABLE:

Variance (☒ Non-Residential (\$450) / ☐ Residential (\$100)): Suburban Residential code indicates on page 54 "Design Standards: Garage doors must be located at least three feet behind front building line". We have been informed the intent for the Suburban Residential design standards is that garages not be prominent facade elements. The proposed design has garages extending 16' beyond the front facades.

☐ Special Exception Use Permit (\$350): _____
☐ Other: _____

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

Applicant Signature: _____ Date: 8/5/2020

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

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: SR
☐ Historic District
☐ CC Overlay

Add'l Approvals Req'd

☒ Planning Commission
☐ Other: _____

BZBA Meeting

Date: 8/20/2020
☐ Approved as Submitted
☐ Approved w/ Conditions
☐ Tabled
☐ Denied

City Council Meeting

Date: _____
☐ No Action Taken
☐ Approved as Submitted
☐ Approved w/ Conditions
☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

DATE	8/6/2020
PROJECT	
SHEET	
LAND PREPARED BY JAMES M. BERARDI 2475 N. 1500 E. P.O. BOX 1784 CARMEL, IN 46032 www.berardiandpartners.com	
LANDSCAPE ARCHITECTURE Paris Planning & Design 300 N. 100 E. CARMEL, IN 46032 www.parisplanninganddesign.com	
ADVANCED CIVIL DESIGN 781 SCIENCE BOULEVARD, SUITE 100 GARY, IN 46404 www.parisplanninganddesign.com	
ILLUSTRATIVE PLAN	
REVISIONS	





BUILDING A

BERARDI+
ARCHITECTURAL FIRM, INC. (BERARDI+)
A PROFESSIONAL CORPORATION, LICENSED
#144771108 berardiplus.com



BUILDING B - OPTION 1

BERARDI+



BUILDING B - OPTION 2

BERARDI+
ARCHITECTS
10000 WILLOW CREEK DRIVE, SUITE 100
SAN ANTONIO, TEXAS 78243
TEL: 214.221.1111 www.berardi.com

WILLIS

LAW FIRM LLC

Writer's Direct Dial
(614) 324-0465
mjameson@willislawohio.com

June 23, 2020

Received

City of Reynoldsburg
Building Division
7232 East Main Street
Reynoldsburg, Ohio 43068
wdelong@ci.reynoldsburg.oh.us

JUN 23 2020

Reynoldsburg Building Div

2:08 pm
AK

RE: Appeal of Reynoldsburg City Code Violation Notice;
File Number 202000000389

City of Reynoldsburg,

Please be advised that this office represents the interests of NL Core Caleb's Crossing, LLC, the owner of the premises located at 2080 Birchview Drive South Reynoldsburg, Ohio 43068 (hereinafter the "Subject Property").

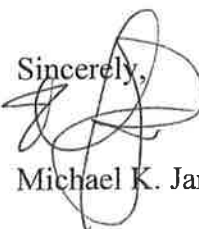
The purpose of this letter is to formally appeal the Code Violation Notice, File # 202000000389, stating that my client's property is in violation of Section 1105.07(K)ii of the Reynoldsburg Zoning Code and Section 975.08 of the Reynoldsburg City Code.

We believe the city has violated both the Ohio and United States Constitutions by subjectively enforcing provisions of the zoning and city codes in a discriminatory manner, which has a disparate impact on minorities.

Additionally, the code violation notice given to my client makes no reference to Section 1109.25 of the Reynoldsburg Zoning Code or to Section 1155.06 of the Reynoldsburg City Code, which state that my client has fourteen (14) days to appeal an order after the day the decision, notice, or order was served. Those sections conflict with the language on the Code Violation Notice, which states that my client has the right to appeal on or before the expiration of the violation notice on July 1, 2020. Accordingly, the Code Violation Notice is defective and does not properly inform my clients of their right to appeal.

If you have any questions or concerns, please contact me by email at mjameson@willislawohio.com or by phone at (614) 324-0465.

Sincerely,



Michael K. Jameson

Attachment: Appeal Request (2080 Birchview Drive South, Dimitri Hatzifotinos)





Attachment: IMG_0297 (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: IMG_0571 (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: IMG_0572 (2080 Birchview Drive South, Dimitri Hatzifotinos)

CITY OF REYNOLDSBURG

BUILDING DIVISION

7232 East Main St. Reynoldsburg, Ohio 43068

(614) 322-6802

Property Maintenance

Code Violation Notice

Owner/Resident / Business / Manager _____
(Optional)

Your Property at EDEN AT ANNE'S PROSING Reynoldsburg OH

☐ VACANT PROPERTY – City will cut if not cut today.

Was inspected on 4/17/20 and found to be in violation of Reynoldsburg City Code

Section(s) 1180.12 SETTING FOR SERVICE STRUCTURES

To Wit: _____ Section 302.4 - Plant growth in excess of 6 inches on property.
_____ Section 975.08 - Trash cans &/or recycle bins stored improperly.

Other Violation(s): _____

You are hereby notified that you have 28 days to correct the violation by:

- _____ Cutting and trimming grass and maintaining at 6 inches or lower.
_____ Storing trash cans at the side or rear of the house or shielded from public view

Other Corrective Action(s) All Dumpsters on Property

NOTICE: Failure to comply or a subsequent offense may result in a citation being issued and/or re-inspection fees being levied. Any actions taken by the City of Reynoldsburg to correct the aforementioned violation(s) may be charged against the real estate and if not reimbursed may be a lien upon such real estate. Residents may appeal this violation by writing the City of Reynoldsburg Building Department on or before the expiration of the violation notice.

Thank you for your immediate attention and cooperation. 1254
Code Compliance Official

Office Use Only: Initialed: 1254 File # _____ Entered 4/17/20 Photos Taken Y N

Re-Inspection Date 5/16/20 Additional Inspections 1 1 1 1 1

Citation Date 4/17/20 Citation # _____ Date of Compliance 4/17/20

Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)

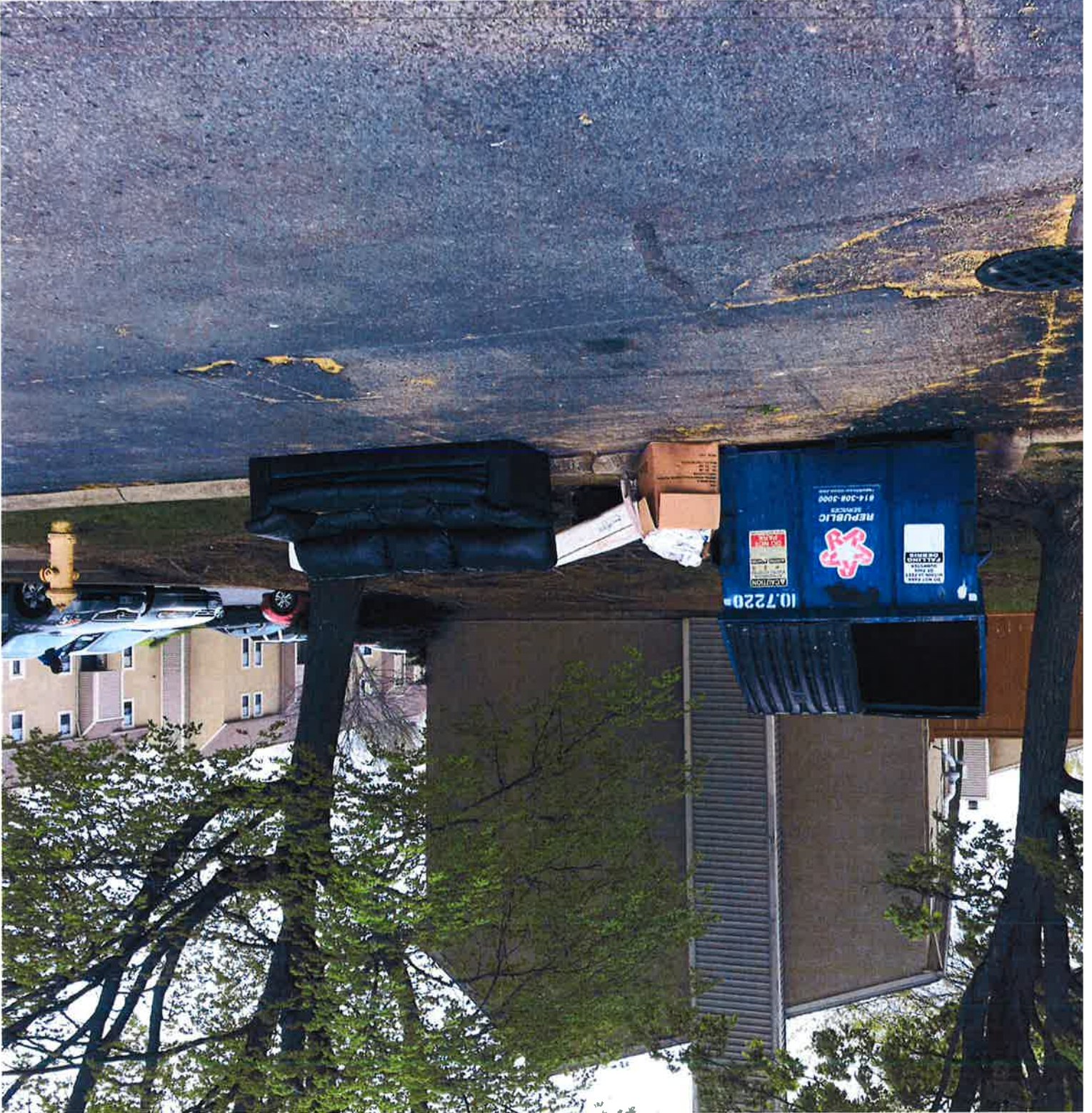




Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



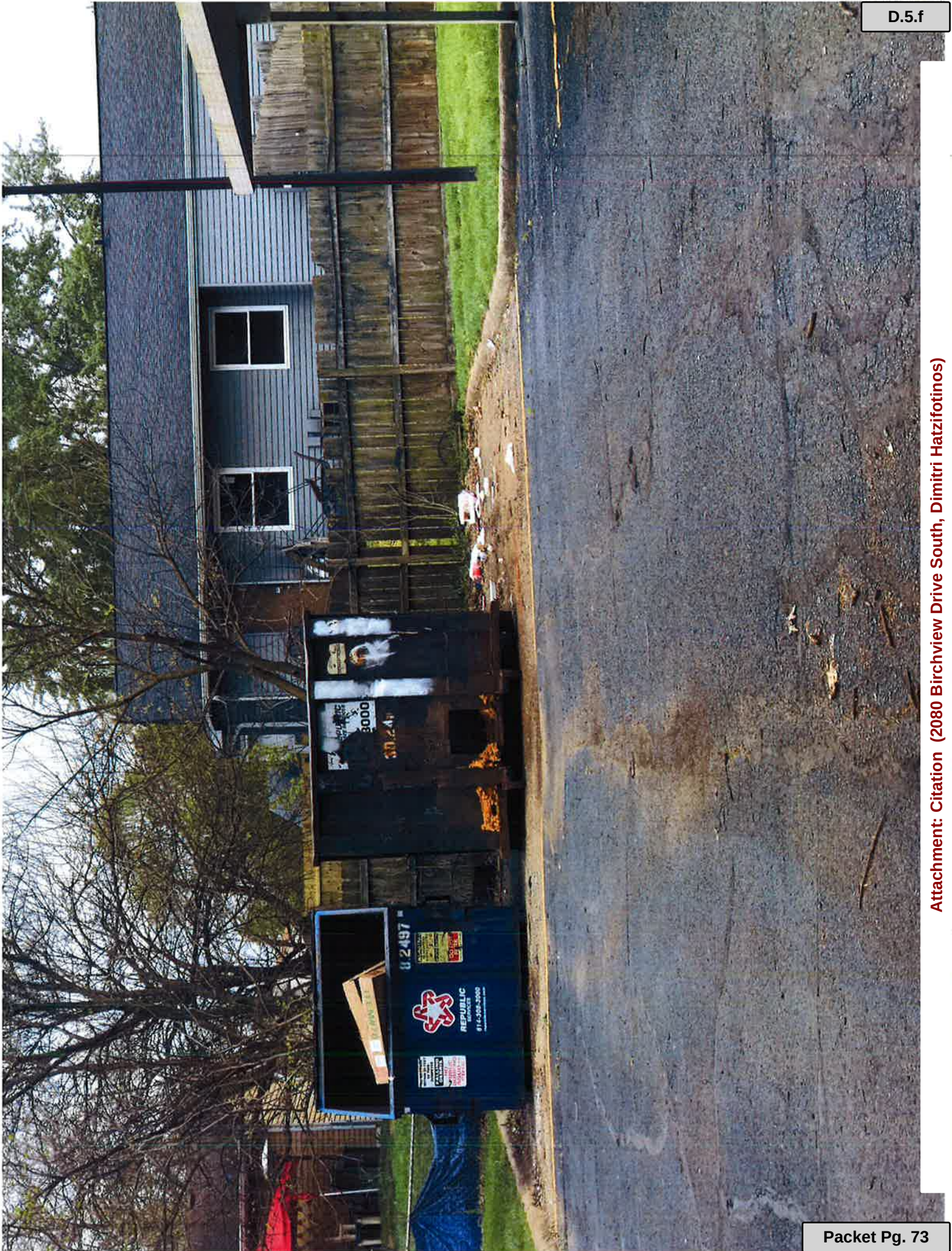


Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



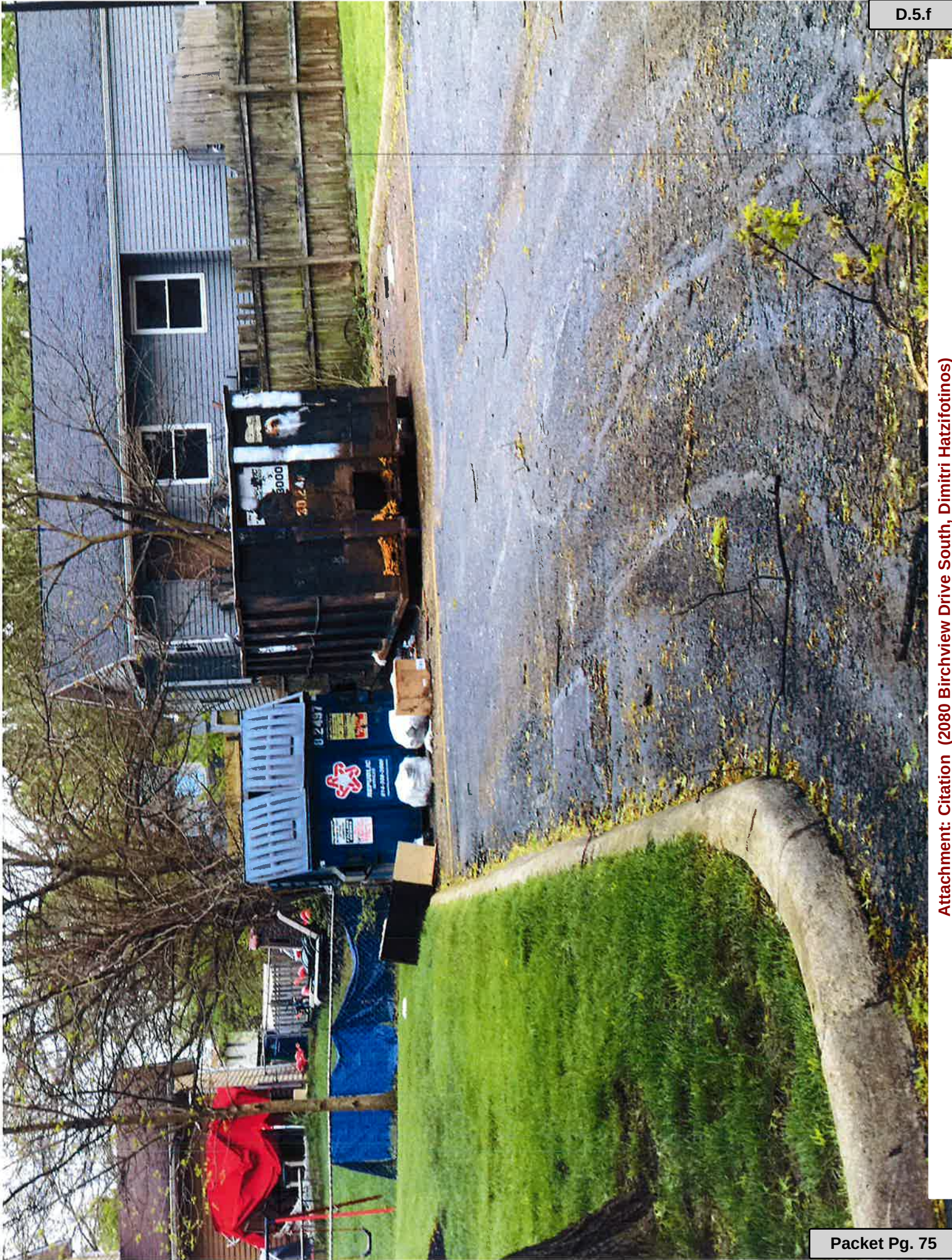


Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)





Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)





Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: Citation (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: Citation 2 (2080 Birchview Drive South, Dimitri Hatzifotinos)



Attachment: Citation 2 (2080 Birchview Drive South, Dimitri Hatzifotinos)