

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
AUGUST 20, 2009
6:30 P.M.

A. CALL TO ORDER
1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. Duane White Mr. Chris Long Mr. Norman Brusk Mr. Patrick Feeney
Others Present:	Mr. Aaron Domini, Planning Administrator

2. APPROVAL OF JULY 16TH MEETING MINUTES

Chairman Feeney: Is there any changes, additions, deletions?

Mr. Domini: No changes.

Mr. Feeney: Hearing none, they will be approved to stand as written, I guess.

(Some Board members did not receive minutes)

Mr. Brusk: So I guess we're going to have to delay this.

Mr. Feeney: Table that. Okay.

3. APPROVAL OF AGENDA

Mr. Feeney: Is there any changes to the agenda tonight?

Mr. Domini: No changes.

Mr. Feeney: No changes. Okay.

4. SWEARING IN OF SPEAKERS

(Mr. Feeney administers the oath.)

5. PUBLIC COMMENT - None

B. UNFINISHED BUSINESS - None

C. NEW BUSINESS

1. VARIANCE APPLICATION: PARCEL #060-009141, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1171.04 (B) TO ALLOW THE DIVISION OF LAND TO CREATE A LOT THAT DOES NOT ABUT A DEDICATED STREET (57 ZV).

Mr. Domini: Mr. Feeney, the applicant's requested this be tabled. I think they're exploring new opportunities which would not require this variance.

Mr. Feeney: Okay.

Mr. Domini: They're asking it be tabled until next month.

Mr. Feeney: Very good.

Mr. Brusk: I move that we table Item C1, 57-ZV.

Mr. Long: I'll second.

Mr. Feeney: Hear the roll.

(Mr. Domini called the roll. Mr. Haire voted "yes." Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes.")

2. VARIANCE APPLICATION: 6579 E. LIVINGSTON AVENUE, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1171.05 TO ALLOW A FENCE TO BE CONSTRUCTED CLOSER TO A RIGHT-OF-WAY OF A STREET THAT THE SETBACK FOR THE PRIMARY BUILDING (58-ZV).

Mr. Domini: Mr. Romans is here to speak on this application. This is Blacklick Plaza Apartments located at the corner of Livingston and Baldwin Road. This particular complex has made a number of improvements to the facility – new roof, new paint. What they're proposing is to add decorative fencing to beautifying the front of this property in addition to what they've already done. The issue is that, as you know, this fence would encroach into the front yard setback along Livingston Avenue, which is classified as a major arterial in our thoroughfare plan which requires a 40-foot setback. On Baldwin we wouldn't have an issue in terms of the encroachment. It's only on Livingston. And I've noted that – the applicant's noted there's no true hardship, but I'm noting that this is helping the City achieve our goal of improving the conditions in this area which may warrant this variance based on your review. Here's a screen shot that I'm showing from our GIS System of Livingston, in the front of that building, so if you take the middle of the building it's roughly 33'. And the corner on the east side was even closer, so that's about 20 or 25'. So, as proposed, that fence would encroach into that front yard. That's really what we're looking at here.

Mr. Brusk: How tall is that fence?

Mr. Domini: It's a split rail, so—

Mr. Brusk: I know, but how tall?

Mr. Domini: It's roughly 4'

Mr. Brusk: Oh, okay. Because I thought if it was under 4' it wouldn't be required.

Mr. Domini: Well, it's the total length. The fence would require it, so you'll see here in a minute.

Mr. Brusk: Oh, okay.

Mr. Domini: This is another capture of the property, that corner of Baldwin and Lancaster. Then here is basically what the applicant is proposing – existing is on the left and then the proposed fence is on the right. And I think they're doing a white acrylic split rail.

Mr. Romans: Yeah. We're trying to decide on the PVC versus the same as the white fencing that New Albany has. Actually, the guys that bid that, they've been from New Albany – they installed all the New Albany fences.

Mr. Domini: That's all I have, Mr. Feeney, and I guess the applicant can answer any other questions.

Mr. Brusk: We have a lot of apartment complexes, both in Reynoldsburg and around that have this type of fencing and I really think that, as the applicant has stated, it enhances as opposes anything else, and I have absolutely no objection to it. I don't see this as being the same as a home that's putting up a fence in front of their home. I think that this is an apartment complex and because of that, it makes the apartment complex look better, it makes the neighborhood look better.

Mr. Feeney: You mentioned something about the different type of fence. What was the New Albany fence?

Mr. Romans: The only difference in the fence, the height – everything is going to be the same no matter what. It's just a matter of material, whether we do a PVC or an actual wood. It'll still be white. But our concern is, after looking at the PVC, is how well it's going to hold up with kids climbing on it.

Mr. Brusk: I was just going to say the kids—

Mr. Romans: That's the only thing that's holding us back. When we went to the New Albany gentleman that does all their work, and he said that's the only problem they've had with it.

Mr. White: Quite honestly, to me, I think wood would look better than vinyl, but _____ PVC.

Mr. Romans: Yeah.

Mr. White: Would you maintain it if you were to have wood?

Mr. Romans: I'm sorry?

Mr. White: Would you maintain it, keep it painted and so on, if you were to have wood?

Mr. Romans: Yeah. The story behind this project is that the father is not a very good steward of this property. The son took over a few years back and has become a very good steward of this property. We've put new roofs on it, took the Tudor effect off of it, redid a lot of the painting on it. It's due next week to get shutters put on it. The guy's actually hand painted with a brush, the brick, stroke by stroke, to create that effect on that building. He's really wanting to clean that up.

Mr. Long: Can he do anything about his neighbors?

Mr. Romans: Neighbors?

Mr. Haire: The neighboring buildings are for sale.

Mr. Long: Yeah.

Mr. Romans: Yeah. Well, he looks at a lot of different things, I mean, that's for sure but, yeah, we put the fence up behind. That was before my time though. But we're just trying to clean up and get it to a point that it's a nice place.

Mr. Long: I've been by it and I went by yesterday to take a look at what has been done and that paint really, it fits into that area, too, the coloring and so forth. It's going to be gorgeous.

Mr. Romans: Yeah. We've redone the landscaping. At some point in time, someone left a tree stump. We dug all those out, cleaned it all up. It's going to get new sod in certain areas in September. So we're working at it.

Mr. Feeney: Is there any other comments from the Board, questions? (No response.) If not, I'll entertain the motion.

Mr. White: I move that the variance application number 58-ZV be approved.

Mr. Brusk: I second.

(Mr. Domini called the roll. Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes." Mr. White voted "yes." Motion carried.)

3. VARIANCE APPLICATION: 1055 SUNVIEW ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1175.03 TO ALLOW A DWELLING TO ENCROACH INTO THE THIRTY FOOT (30') REQUIRED FRONT YARD SETBACK (59-ZV).

Mr. Domini: In this application – a different application was before you, I believe in June, a similar variance and the application was denied by the Board. The applicant has re-submitted a different application for a gabled front porch which is not enclosed with a different footprint, I think in response to what was said at the last meeting. On this application – again, just to refresh you, this house is set back roughly 32' from the right-of-way. The porch, as proposed, measures 8' by 20'. The original proposal was for a 12' by 20' enclosed room. This porch would encroach 6' into the required 30' yard setback, so at 32', if you take the 8 away and it'd be about 24' where this would rest. Here is the drawing submitted by the applicant. You can see the 8 by 20' patio and the 25' build-to line on there, I don't think this drawing is necessarily exactly to scale, but my best estimate is it'd be about the 24' line. Here is an aerial of the property and Sunview here. This is the front elevation. It gives you an idea that, I guess this tree – I think this was discussed last time – would be preserved and the addition is going to be on this end of the house, coming out to about here.

Mr. Brusk: Are there other encroachments in the neighborhood?

Mr. Domini: Well, that's why I took this screen shot for you, to take a look at this and I think in the application the applicant noted other houses that may have a front porch that is encroaching. To the best of my knowledge, since I've been here, I haven't seen an application in this neighborhood. I guess I would defer to some of those who have been here longer. But in looking at this photo on Sunview, in this block and some of the surrounding streets, you can get an idea of what the character is. I think some houses may be built to the 25' build-to line, some roughly at the 30, 32.

Mr. Long: We may not see one specifically on this photograph in this neighborhood, but the Board has had another applicant come through that we did approve over in Huber. The overall setup is very similar.

Mr. Domini: That was last year, yes.

Mr. Brusk: I think that the applicant has made a good faith effort to provide what we had been concerned about, addressed those concerns.

Mr. Long: I'd like to commend you for not giving up and coming back.

Ms. Bailey: Hey, I'm back. I have to compliment you. This is wonderful. You think you'd just sit here and go, "Oh, boy, that looks nice. I like that."

Mr. Feeney: I was just kind of wondering exactly what it's going to look like.

Ms. Bailey: My house is trimmed in cedar and the roof itself, I'm going to have the whole house re-roofed, or re-shingled so that it will all match. The poles are cedar, 6 by 6 cedar because I want it all to match. I recently had my driveway replaced. It's a concrete driveway and it had really deteriorated over the years, so I had someone come in and replace the driveway. And while he was there and I wasn't going to give up, and the last time I was here you told me I could have a patio. So I sit out there in my chair on the patio, but I had this 8 x 20 pad poured, had it colored and stamped and it looks wonderful. So, in 22 years of living in that house, for the last month I have sat on my front porch and it's wonderful. So I'd really, really like to have a roof to go over it so I can sit out there in the rain as well.

Mr. White: I noticed that it's going to be gabled?

Ms. Bailey: Yes.

Mr. White: And is it going to be even with the roof, the top of the roof? Is the gable going to be with the top of your current roof?

(speaking off mic)

Mr. Long: So it'll be just short of it?

(speaking off mic)

Mr. Long: Okay.

Mr. Domini: If any other questions are directed to you, speak into the mic so we can get them recorded.

Mr. Long: My childhood home is next door there.

Ms. Bailey: Which side?

Mr. Long: 1047.

Ms. Bailey: That's Ruth Rice's house. She's been there probably – I think she bought about four months before I did. Yeah. There's probably about five people who are homeowners in that neighborhood. There's a couple of rentals that – I mean, the

homeowners really have, I think, done a good job of keeping their property up and updating things and I'd like to do the same.

Mr. Long: You still going to move your mother back?

Ms. Bailey: She won't come.

Mr. Long: No?

Ms. Bailey: She actually thinks that I went out and bought some cedar chairs and she told me yesterday that they were really, really pretty and they'd look really nice in an enclosed porch. I'm working on the roof. Give me a break.

Mr. Feeney: Anybody else have any questions concerning the—

Mr. Brusk: I think this meets our previous—

Mr. Feeney: I think so, too.

Mr. Brusk: --standards for granting this time.

Mr. Feeney: So I'll accept a motion.

Mr. Long: I'd make a motion that we approve variance application 59-ZV.

Mr. Brusk: I'll second that.

(Mr. Domini called the roll. Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes." Mr. White voted "yes." Mr. Long voted "yes.")

D. OTHER BUSINESS

Mr. Feeney: Is there any Other Business? Then we're adjourned.

E. ADJOURNMENT

The meeting adjourned at 6:52 o'clock, p.m.

Patrick Feeney, Chair

Aaron Domini, Planning Administrator

This document was transcribed by:
Area East Secretarial Service
7668 Slate Ridge Blvd.
Reynoldsburg OH 40368