

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
JULY 15, 2010
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

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

2. APPROVAL OF MINUTES OF JUNE 17, 2010 MEETING

Chairman Brusk: Is there anyone who has any changes or corrections or additions? No additions, corrections? Then they will stand approved as submitted.

3. APPROVAL OF AGENDA

Mr. Brusk: We have six items on there. Are there any changes, additions, corrections?

Mr. Hansen: No.

Mr. Brusk: No. Then we will accept the agenda as written.

4. SWEARING IN OF SPEAKERS

Mr. Brusk: Those of you who plan to speak today, two things. One is if you haven't signed in, when you do stand up to talk please make sure that you do sign in. The sign-in sheet's over there.

(Mr. Brusk administers the oath.)

5. PUBLIC COMMENT

Mr. Brusk: Is there any public comment on issues not covered on the agenda today? (No response.) Not being any, we're going to move on to Item B which in Unfinished Business

B. UNFINISHED BUSINESS

Mr. Brusk: I see no Unfinished Business on the agenda tonight so we'll move to Item C.

C. NEW BUSINESS

1. SPECIAL EXCEPTION APPLICATION, 1922 BRICE ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, CC; PRESENT OWNER'S NAME, DIMO KUSMANOVSKI 1129 BLACK GOLD PL COLUMBUS, OHIO; REQUESTING A SPECIAL EXCEPTION FOR AN EATING AND DRINKING ESTABLISHMENT. CONTACT: SOPHEAP KENG (41-SE).

Mr. Brusk: Who is speaking before the Board on that? Would you please come forward, state your name and address and give us just a brief statement of what you wish to do.

Mr. Haire: Do you want to – Matt, to give his presentation first.

Mr. Brusk: Oh, that's right. We normally – I've got to learn that. What's going to happen is Matt is going to present a small—

Mr. Andrew Delzoppo: Oh, okay.

Mr. Brusk: But do give your name and address.

Mr. Delsoppo: (inaudible)

Mr. Brusk: Yeah. Could you give your name and address first?

Mr. Delzoppo: It's Andrew Delzoppo, 10067 Granden Street, Pickerington, Ohio 43147 and I'm the architect of record.

Mr. Brusk: Okay. Great.

Mr. Hansen: The applicant is proposing to occupy a vacant storefront in the Big Lots Shopping Center. You see the location here is the shopping center. It's a Caribbean restaurant proposed at 3,816 square feet with a 384 square foot patio that'll be added to the rear of the building. Interior improvements include a 2,100 square foot dining area, a 10-seat bar and a full kitchen. Previously, the applicant had been to the BZBA for a Special Exception at the January 21st meeting for an eating and drinking establishment, but the Board did not approve the Special Exception as the Board thought that the nightclub-oriented restaurant would significantly impact the character of the area. The applicant has returned with significant changes to the proposed space which will focus more on dining and less on a nightclub establishment.

Just going over some considerations that could be considered for approval of the application. The proposed use for an eating and drinking establishment is not out of character for the neighborhood. We do have Commercial Service District adjacent which has an eating and drinking establishment in it. A good quality restaurant in this strip could actually be beneficial to the neighborhood and bring more patrons and adding to the success of the adjacent businesses. The applicant should confirm for the Board the proposed hours of the restaurant that was unclear in the application. Services to the area should be sufficient. There's parking that's available at the Center and there are no other conflicts with the zoning code. With the new fence enclosure and any new signage, they'll have to go to the Design Review Board for approval. So staff sees that the application meets the intent of the zoning code and the standards that are listed in Section 1145.09. Can I answer any questions for you?

Mr. Feeney: I think I'm good.

Mr. Brusk: The patio – it's going to be in the back of the area?

Mr. Delzoppo: Yeah. I think – I believe we added it for the purpose of smokers, you know, to give them a place that's screened.

Mr. Brusk: Do we see any problems there because it abuts the yard it backs onto, it would be apartment complexes if I'm not mistaken.

Mr. Hansen: No. There's actually additional commercial buffer along Merchant's Drive.

Mr. Brusk: Oh, okay.

Mr. Hansen: Yeah.

Mr. Brusk: Oh, that's on that side of the street.

Mr. Haire: Right there at the Livingston Community Garden.

Mr. Brusk: Okay.

Mr. Haire: Right. What – at the rear of the property currently is an overhead door. How's that going to be enclosed?

Mr. Delzoppo: Yeah. We're going to fill that in with cement blocks and I think – I'm not sure if I specified brick or not but we are taking that door down and if you'd like to see that all matching we could – we probably need to incorporate that.

Mr. Brusk: I would think it would.

Mr. Delzoppo: Thinking specified block, then paint to match the surrounding area but we are adding a man door in that area, that 10 by 10 area I think it is.

Mr. Haire: And the fencing will go directly from the left side of the picture there and it won't include any of those utilities? Is that correct?

Mr. Delzoppo: That's correct. It hugs that door – the man door right there and it comes into – I think the kitchen exits out one door and the dining would exit out into that patio area.

Mr. Haire: Do you have any concerns with patrons walking by the mop bucket area in the hallway?

Mr. Delzoppo: Yeah.

Mr. Haire: It concerned me a little bit.

Mr. Delzoppo: Yeah, it was – I've been thinking about putting a closet around that thing for – since I-- the problem is the previous set of drawings had that there in it's original location and I kind of just left it there so they didn't have to move any plumbing, you know.

Mr. Haire: Okay.

Mr. Delzoppo: Right. Yeah. I think it needs to be enclosed before we find—

Mr. Haire: Yeah. I would just be worried about people slipping or anything like that if you get anything wet around the side of there – that's—

Mr. Delzoppo: --spot for it. I was just thinking if I move it I'll probably be spending some money and that budget's always tight, you know.

Mr. Haire: Right.

Mr. Delzoppo: I believe their hours of operation are similar to all general restaurants. Uses – casual dining uses which are lunch, dinner but Sopheap's here. She might be able to answer that better.

Mr. Haire: Great.

Mr. Brusk: Sopheap, since you just walked in I'm going to ask you to raise your right hand so I can swear you in and then after you finish, would you just sign that paper there, but you don't have to—

(Mr. Brusk administers the oath to Sopheap Keng.)

Mr. Brusk: You do?

Mr. Delzoppo: Say, "I do."

Ms. Sopheap Keng: I do.

Mr. Brusk: Thank you. Sopheap, why don't you just give your name and address. You can sign that after you finish talking.

Mrs. Sopheap Keng: My name is Sopheap Keng and I live at 5297 Amalfi Drive in Canal Winchester, Ohio.

Mr. Brusk: Are you planning on having entertainment at this location now?

Ms. Keng: No, not any particular – it's just basic restaurant dining and – full dining and things like that. We don't plan no entertainment or anything like that, no.

Mr. Brusk: Any dancing like you had before?

Ms. Keng: No, no.

Mr. Brusk: Okay.

Ms. Keng: It's a full—

Mr. Brusk: Just it's now a restaurant-restaurant type of facility?

Ms. Keng: Yes.

Mr. Haire: And what are the hours of operation?

Ms. Keng: We're thinking of opening it anywhere between 10:30 and until like about 11:00 at night, particularly probably when we first start it'll probably be on Monday through Sunday.

Mr. Haire: What's the name of the establishment?

Ms. Keng: Mamajuana Restaurant. It's a bar and grill.

Mr. Haire: Is there any significance to that name?

Ms. Keng: Yes, it is. It is a Caribbean drink from Dominican Republic and it's loaded with different roots and herbal medicinal purposes and things like that and they soak it in rum, so if you take like little drinks of it it's supposed to be like an elixir for like an aphrodisiac and things like that, so.

Mr. Brusk: Any other questions?

Mr. Feeney: I think this is a lot more detailed than we got before on the last restaurant.

Mr. Brusk: That's for sure. I just wanted to make sure there's not a—

Ms. Keng: I have a, like a basic menu that I put together if you guys want to look at it or whatever. I didn't know if that was important or pertaining to any more info that needed to be added or anything like that.

Mr. Brusk: Are you going to have any games in there or anything like that?

Ms. Keng: Games? No. I _____

Mr. Brusk: Pool tables or anything like that?

Ms. Keng: Excuse me? No, no.

Mr. Brusk: Okay.

Mr. Delzoppo: Yeah. I'd want to make sure that that was finished off with matching brick rather than just brick and painted brown. I'd want to see that brick.

Ms. Keng: (inaudible)

Mr. Delzoppo: Open a door when we fill that in.

Ms. Keng: And brick the will match that the best we can to that existing brick.

Mr. Brusk: There really isn't anybody that sees that, is there?

Mr. Hansen: No. The Design Review Board would review any exterior changes so that would be part of their application. We can make sure that happens.

Mr. Brusk: But I mean as far as once it's finished there's not a lot of people going to be looking at that side of the building anyway.

Mr. Hansen: Oh, no.

Mr. Haire: And you've knocked the ramp out as well that goes into the door?

Mr. Delzoppo. I'm sorry.

Mr. Haire: Will the ramp be taken out that goes into the--

Mr. Delzoppo: Actually it's stained. We're going to use it as an A.D.A. ramp and it'll be—

Mr. Haire: Okay.

Mr. Delzoppo: --so the facility has, you know, all three entrances are A.D.A.

Mr. Haire: So there'll be outdoor dining there as well?

Mr. Delzoppo: No. That's actually the back end of the kitchen _____. So I exit the dining to the left of that overhead door and the kitchen exit's on it's own.

Mr. Haire: What about the front of the building? Is there any intent to have any type of area out there that's enclosed ? Because there's an overhang—

Ms. Keng: Not in the front, no.

Mr. Haire: Okay.

Mr. Stoffel: Can we see the front again?

Ms. Keng: Yeah. There's too many establishments out there. I don't think it'll be appropriate for us to have something out front. That's what I would think anyway.

Mr. Brusk: And it's the available one, right?

Mr. Haire: Yes.

Ms. Keng: Yeah. It's that one right there, so yeah.

Mr. Delzoppo: It's correct.

Mr. Brusk: I think that the usage is a lot more in keeping with what we want to see develop at Brice-Livingston area.

Mr. Haire: Yeah. I think it meets all the standards for Special Exception. I appreciate the thoroughness of the application.

Mr. Brusk: Yes. Are there any more questions anyone?

Ms. Rose Oberst: Yes.

Mr. Brusk: Will you step forward and give your name. I'll need to swear you in, too, if you came in later. (Mr. Brusk administers the oath.)

Ms. Oberst: I do.

Mr. Brusk: Thank you.

Ms. Oberst: I just wanted to put a good word in for the owner. Mr. Amalti has three stores in New York, Manhattan _____. He also has a number of apartments in the Dominican Republic and a large corporation. He has very much wanted to work with Reynoldsburg community and complies with everything. He has gone out of his way which I was very impressed that he hired an exceptional good architect to try to make sure that everything was within what you're trying to do and I appreciate any support you can give him. I think he's going to be a great asset to the community and he very much wants to work with everybody, so—

Mr. Brusk: Thank you.

Ms. Oberst: That's what he'd like me to tell you.

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

Ms. Oberst: My name is Rose Oberst. I represent both the client and the owner of the Center.

Mr. Brusk: Okay. And you need to sign – both of you need to sign. If there're no other questions – any other questions from the audience. Can we have a motion? I entertain a motion.

Mr. Stoffel: Yeah. I'll move that we accept Item C variance 41-SE.

Mr. Feeney: I'll second.

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

Mr. Brusk: Okay. Great. Good luck with everything.

2. VARIANCE APPLICATION, 1744 GRAHAM ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1171.06(C)1 OF THE REYNOLDSBURG ZONING CODE TO REDUCE THE MINIMUM RIGHT-OF-WAY SETBACK FROM FIVE FEET TO ZERO AND HAVE A FENCE LENGTH LONGER THAN 36 FEET IN THE FRONT YARD. CONTACT: KARL SCHWEIKERT (71-ZV).

Mr. Hansen: I think our applicant is here. It's Mr. Schweikert.

Mr. Karl Schweikert: Yes. I've prepared a – I'm Karl Schweikert at that address. I've prepared folders for everyone and I have originally – they call it a live fence which was Taxus yews along there and I took them out and we're going to put a

fence up. It's going to be a wrought iron fence and I want to stay within the same area that the Taxus yews were.

Mr. Brusk: Is that 3 feet high? Is that what we said on that fence?

Mr. Schweikert: Pardon?

Mr. Brusk: Is that fence going to be 3 feet high?

Mr. Schweikert: Yeah. Three (3) feet high. The pillars will probably be 42. That's just, you know, to put the wrought iron in. And that's the type – it's real – he talked me out of wrought iron because wrought iron will chip and rust. This going to be aluminum and it's going to – the paint will hold better and won't – if it does chip it won't rust.

Mr. Brusk: Correct me if I'm wrong. Is that required to have a variance since it's a 3 foot fence? I thought the standard was at a 4 foot.

Mr. Hansen: No. It's 36 inches.

Mr. Brusk: Oh, okay. Well—

Mr. Haire: An open design.

Mr. Hansen: An open design.

Mr. Brusk: Well, wouldn't that be an open design?

Mr. Haire: This is.

Mr. Hansen: It is.

Mr. Brusk: Yeah.

Mr. Haire: So the variance is just for that—

Mr. Brusk: For the height?

Mr. Haire: The 5 feet from the set – from the right-of-way to the setback.

Mr. Brusk: --have to have it – well, because it's over 36 inches we have to have a variance?

Mr. Haire: No. All fences have to be setback at least 5 feet from right-of-way. That's what the variance request is for.

Mr. Brusk: Even a small fence even though it's a 3' fence?

Mr. Haire: Correct.

Mr. Brusk: Oh, okay.

Mr. Hansen: The other variance is for the length of the fence. Fences in the front yard can only be lengths of 36 feet long and so the applicant is proposing fence length right around 96 – 70', so that also requires a variance.

Mr. Schweikert: Well, actually it's 96 on one side and then 64 on the other.

Mr. Hansen: Okay.

Mr. Schweikert: And will be open and people can see through it, yes. Your wrought iron fence type. I guess the variance was changed in 2006 for the setback which I didn't know that they changed that in 2006 to have a 5 foot setback from the right-of-way.

Mr. Haire: It changed prior to that.

Mr. Schweikert: Well, that's when it was, 2006.

Mr. Brusk: Now, is there a problem that it would be set less than the 5 feet as far as with the City actions, that they might have to do like replacing--

Mr. Hansen: No. As long as it's out of the right-of-way.

Mr. Brusk: Okay.

Mr. Hansen: Which is his primary concern. When the City put in the new regulation of fences 5 feet from the sidewalk, the intent was probably to have a buffer between the back of the sidewalk and the fence for any sidewalk replacement or landscape buffer. Most areas of the city the right-of-way line is the back of the sidewalk. In this situation, the sidewalk is set in about 6 ½ feet from the right-of-way line, so the intent of having that buffer is already established here by the existing condition if this fence were to be put on the right-of-way line.

Mr. Brusk: Does this have to go through the Design Review also?

Mr. Hansen: No.

Mr. Haire: It's residential.

Mr. Brusk: Oh, that's right. Okay.

Mr. Haire: You want to explain the email that you just passed around, Matt?

Mr. Hansen: Yes. I had the City engineer look at this to make sure the fence wouldn't be in any vehicular sight triangles for that intersection of Palmer and Graham and he said that it's close, but is not in that site triangle.

Mr. Haire: So there should be no impact on anyone having visibility when they're turning out from Palmer Road onto Graham.

Mr. Hansen: Correct.

Mr. Haire: Especially with the open design. There'll probably be a column there on the corner but—

Mr. Brusk: I was just going to say, with an open design it's probably moot. Any other questions?

Mr. Stoffel: That was my question, about the column on the corner and the sight going down the road, but if Jim took a look at it, I'm confident with what he says.

Mr. Brusk: I assume it's the thin the corner posts, not extra thick or anything.

Mr. Schweikert: No, sir.

Mr. Hansen: He's using a masonry—

Mr. Feeney: A masonry column.

Mr. : Yeah.

Mr. Schweikert: Well, I had the Taxus yews there and it was pretty hard to see around them. They had to stop. Well, since I took those Taxus yews out, they do a Texas stop.

Mr. Feeney: Rolling. A rolling stop, yeah.

Mr. Schweikert: Yeah.

Mr. Brusk: Oh, I see what you're saying now. Okay. My own personal opinion, I love those type of fences.

Mr. Schweikert: Well, I can say it adds value to the area, too, I believe.

Mr. Brusk: I think they add character to any neighborhood. Are there any other questions? Any questions from anyone out in the—

Mr. Schweikert: No

Mr. Bill Lane: Yes, sir.

Mr. Brusk: You want to come forward and—

Mr. Lane: I signed in.

Mr. Brusk: Did you? Okay. And I take it you were here for the swearing in so I assume you swore in.

Mr. Lane: I'm Bill Lane. I live at 1490 Cobble Gate Lane. Been there 37 years. I've traveled Palmer Road-Graham Road intersection many times. I've seen the traffic increase flow unbearable. That intersection is a safety hazard. Bring up the other slide showing the street. That hedge provided a noise buffer and privacy fence for the Schweikert's. They have a fantastic landscaped yard and I'm afraid if you put a fence up there and putting shrubs behind it and now the fence will become like the hedge was in a traffic hazard. You have an opportunity to prevent, correct a bad safety hazard on the intersection corner. You can't see up Graham Road. I drive a mini-van, see over top of the fence, almost top of the fence. And a mid-size car, I can't see through the hedge. I see cars come into the intersection, stop at the stop sign or stop after the stop sign on the white paint line. I'm surprised there hasn't been a deadly accident there.

Mr. Schweikert: That's when the hedge is there.

Mr. Lane: Yes. But I'm afraid you're opening up an opportunity to create another hedge condition by putting your fence up there.

Mr. Brusk: I appreciate what you're saying but, on the other hand, it seems to be that they can put hedges up there without any restrictions whatsoever, so that's kind of moot that that would do it.

Mr. Schweikert: --and I changed the style of fence. That's why I _____. I couldn't put another live fence there.

Mr. Brusk: Or if you put – yeah, exactly.

Mr. Haire: It looks like the fence that you're proposing is on the – kind of a back edge where your hedgerow was. Is that correct?

Mr. Schweikert: Yeah.

Mr. Haire: I mean, looking at where you've got your posts marked on there, so it'll be back even a little further than the hedge was and it won't be nearly as wide.

Mr. Schweikert: _____ you see the posts _____.

Mr. Brusk: Right. But I think what the concern was was that they would put hedge back in after the fence.

Mr. Hansen: They would still need to meet our fence regulations for the front, so it'd have to be—

Mr. Haire: A hedge is considered a fence.

Mr. Hansen: Yeah. It's still considered a fence. It would have to be less than 36 inches.

Mr. Lane: Behind the line with the stop sign so people can come up to the stop sign and see unrestricted up Graham Road to the north, but you got a traffic problem coming north from Livingston. You got the _____ and you got down under the hill. It's a safety hazard intersection. Thank you.

Mr. Brusk: Is there any reason why you want it where it is instead of 5 feet back?

Mr. Schweikert: Because it'd be unacceptable. It'd be up into the tree. I've got a big tree there.

Mr. Brusk: Oh, I see. Yeah. Okay.

Mr. Schweikert: And it's just – be unacceptable to that.

Mr. Brusk: What if you moved it the 2 feet that it looks like it would be to be even or be just behind the stop sign?

Mr. Schweikert: No, I – well, it's going to be inside that post. You see that metal post there?

Mr. Stoffel: The stake?

Mr. Schweikert: The stake.

Mr. Brusk: Yeah.

Mr. Schweikert: It's close to the – well, it's going to be inside that – the post.

Mr. Haire: It's going to be the very back edge of the _____ area.

Mr. Schweikert: The very back. That's what I'm saying.

Mr. Brusk: Right. I understand—

Mr. Schweikert: So that's going to give them plenty of room to look up Graham Road.

Mr. Haire: It looks close. I don't know—

Mr. Hansen: Yeah. Just about as—

Mr. Schweikert: It's almost at the stop sign. In line with the stop sign.

Mr. Feeney: So the stake is in the center of the post.

Mr. Schweikert: No. That's the edge of it.

Mr. Feeney: The front, the side—

Mr. Schweikert: No. Yeah

Mr. Feeney: The front being the street side.

Mr. Schweikert: Right. It'd be in back of that towards the house.

Mr. Stoffel: Yeah. It's actually going to be, if not equal to, a little bit back even beyond the stop bar so—

Mr. Schweikert: Yeah.

Mr. Stoffel: I think that's—

Mr. Schweikert: Yeah. It'd be at that, yeah.

Mr. Brusk: Okay. Are there any other—

Mr. Feeney: Well, also with Jim Miller, our engineer taking a look at it. He had looked at that evidently out there all at the same time. He didn't appear to have any issue with it, so.

Mr. Brusk: You don't plan on putting hedges in after you put that?

Mr. Schweikert: No. If I do it'd be really – I mean, it's going to be – underneath it's going to have mulch. I'm going to have mulch up through there where the fence is.

Mr. Brusk: Okay. I will entertain a motion then on this.

Mr. Feeney: I'll make a motion that we accept Item C2.

Mr. Stoffel: I'll second.

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

3. VARIANCE APPLICATION, 1755 LANCASTER ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1180.11(B) OF THE REYNOLDSBURG ZONING CODE TO REDUCE THE MINIMUM LANDSCAPE PARKING BUFFER FROM TEN FEET TO FOUR FEET. CONTACT: GEORGE J. IGEL (72-ZV).

Mr. Hansen: The contact is George Igel. I believe he couldn't make it to the meeting, so his son is representing him. Just a brief overview of the variance application. This property is in the very final stages of re-zoning from AR-1C to Neighborhood Commercial. The zoning will take effect on July 28th. Proposed is a small office. It's call The Serenity Center. It's a small office, a collection of professionals that'll be holding practice at the location. In order for them to meet their commercial zoning requirements, they needed six parking spaces to be added on the site. The Design Review Board reviewed the location and arrangement of these spaces and approved it with the condition that the variance will need to be obtained for the reduction and the parking buffer which must surround any parking area. The applicant is proposing to reduce this buffer from 10 feet to 4 feet. It meets the intent of the zoning code by establishing a 36-inch tall opaque landscape hedge that'll be around the parking area. The zoning requires that you have the 10-foot buffer and a 36-inch tall hedge around it and so only one of those conditions are being met. Looking at considerations for approval, the applicant is meeting the zoning code regulations by providing the evergreen hedge plant material as required in Section 1180. The use of the site is in accordance with the zoning designation and the parking buffer does not confer a use which is specifically prohibited. If you look at the zoning regulations for NC, there's no minimum lot size; however, because of the arrangement of the site and the location of the structure on the site, in order to get parking that functions and is efficient, this buffer is needed to be reduced.

Mr. Brusk: Is that buffer for the small road that's running around behind the—

Mr. Hansen: Yeah. Here's Lancaster and here's the front of the building and this is the buffer that we're speaking of. It's kind of a single-family looking residential structure that's to the south, but it's actually a commercially zoned lot.

Mr. Haire: It's Greystone Interiors.

Mr. Hansen: Greystone Interiors. This is in Truro Township though.

Mr. Brusk: Right.

Mr. Hansen: And this buffer right here, the requirement is 10 feet and we're having to reduce it to 4 in order to properly size space, parking space here and a drive aisle.

Mr. Brusk: Oh. He's going to have a driveway then that comes in and I can't—

Mr. Hansen: Yeah.

Mr. Brusk: --couldn't see it but that's that driveway that's between the squares, the _____ square.

Mr. : Right.

Mr. Hansen: So the driveway – the existing driveway will be expanded to meet code. There'll be a little pinch point, because we're trying to preserve this significant tree right here.

Mr. Haire: Is this the landscape that was presented to the Design Review Board?

Mr. Hansen: Right.

Mr. Haire: Are there trees included in the buffer?

Mr. Hansen: In this buffer? No. The adjacent trees would meet the buffer requirement. There're significant trees on the site, so.

Mr. Haire: I thought our code said one every 30 or 40 feet.

Mr. Hansen: It's one every 50 so, yeah. There's 60 feet of parking space and then there are the adjacent trees here. I think there is plenty of overhead canopy. Adding more trees is will not do much good – they're not going to do as well.

Mr. Brusk: Has the neighboring property made any comments one way or the other? Do they have any problem?

Mr. Hansen: Not that we've heard of and there's been a number of notices posted at the site as far as the re-zoning and the variance. Here's a picture of the front of the house. Here's towards the back end of the parking area and just adding in the small strip of pavement, shown in red. You would see the leftover buffer. There's an existing fence there already. There's some landscaping already, adjacent on the other property.

Mr. Brusk: That's the other property, the white house that's there?

Mr. Hansen: Correct. Here's where the—

Mr. Stoffel: Is that the – I would assume that's the 20-inch tree they're taking out? It's right on the front of that car?

Mr. Haire: Yeah.

Mr. Hansen: Right. That's the one tree they're going to take out and they're going to replace it per our tree replacement code.

Mr. Brusk: So the cars will park in that red area that you have there?

Mr. Hansen: Right. So they'll be head-in facing the other structure.

Mr. Brusk: You will have signs that say "Head-in Parking Only?"

Mr. Hansen: They're 90° spaces. It's the only way, but it doesn't matter. It's head-in or rear-in and there'll be stripes, so it'll be pretty intuitive.

Mr. Brusk: The only thing I would say would be if the other – if the neighbor would – since it's a commercial also, right?

Mr. Hansen: Correct.

Mr. Brusk: Unless they object it I don't see any problem with it. If that was my residence I would not accept that.

Mr. Haire: Residential requires a lot larger buffer.

Mr. Hansen: Right.

Mr. Brusk: I would hope so.

Mr. Haire: Through the re-zoning process no one came forward with any type of objection. We had three public meetings and then all the Council meetings.

Mr. Brusk: Well, in order for me to get my wording in, are there any other questions out here? Any questions?

Mr. Feeney: So the plants that you're going to plant in there are 3 foot tall and is that fully matured trees or bushes, what?

Mr. George Igel: Bushes or trees. It's up to you guys from what I heard.

Mr. Hansen: They're evergreen shrubs that will be installed. They have to reach 36 inches within a year, so they'll either be installed almost at 36 inches or right below, probably at 30, is usually what you can buy at a reasonable price.

Mr. Brusk: All right. Any other questions? (No response.) Then I move that we accept Item C3, 72-ZV. Second, please.

Mr. Haire: I'll second.

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

Mr. Hansen: Thank you.

Mr. Igel: Thank you very much.

Mr. Brusk: You didn't give your name. Would you please give your name.

Mr. Igel: George Igel.

Mr. Brusk: In the microphone.

Mr. Igel: George Igel.

Mr. Brusk: Thank you.

4. VARIANCE APPLICATION, 1426 COBBELGATE LANE, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE TABLE 1175.03 OF THE REYNOLDSBURG ZONING CODE TO REDUCE THE MINIMUM SIDEYARD SETBACK FROM TWENTY FIVE FEET TO FIFTEEN FEET. CONTACT: PAMELA OATES (73-ZV).

Mr. Brusk: Please give your name and address.

Ms. Pam Oates: My name is Pam Oates. I reside at 1426 Cobblegate Lane.

Mr. Ron Martin: And I'm Ron Martin. I live at 232 Postage Circle in Pickerington.

Mr. Brusk: Thank you.

Mr. Hansen: Sure. The applicant is proposing to place an addition to the rear of the house and the addition will be in line with the south façade of the building. It will extend, if you look on your screen, it will extend out here and not take up the entire back width of the house, but the majority. The zoning district of this is R1, which requires a pretty significant side yard and rear yard setbacks. The existing side yard of this structure right now is at 15 feet. So in order to put an addition on the rear of this house, which constitutes an expansion of a non-conforming structure, a variance is needed in order to get this addition accomplished. So the applicant is reducing the required side

yard setback of 25 feet to 15 feet and the sum of the setbacks on either side of the house has to be 60 and with the variance the sum of the side yards would then be 27 feet.

Looking at the considerations for approval of this variance, doing the addition is not out of character. It wouldn't create anything that's out of character for the neighborhood, which is primarily single-family residential with large setbacks and large side yards. This wouldn't further reduce the side yard at all. The setback just doesn't meet the side yards we have established now. Granting a variance would not permit any use which is not allowed in this district. The lot on which the house is located is actually smaller and does not meet the R-1 zoning standards. The width of this lot is only 98 feet where our current zoning regulations require that R-1 lots be 150 feet in width. Subsequently the lot area is also smaller. So this can be seen as a hardship and a basis for approval of the variance. The rear yard requirements are being met. The applicant has said that the arrangement of the interior space of the existing house requires that the addition be placed at this location, so side yards couldn't be met. But looking at the elevations, staff noticed the addition will create a pretty long stretch of uninterrupted frontage, so a small break in where the addition meets the existing house may be warranted just to reduce any visual impact and actually help integrate the new materials of the addition with the old materials, so that they don't butt up against right at the same elevation. So if there's any other questions I can answer. Here's a picture of the rear yard.

Mr. Stoffel: Have you gotten any feedback from your neighbor as far as—

Ms. Oates: On both sides both neighbors really have no problem with it.

Mr. Stoffel: Have they seen the elevations to see that, for instance, the left side elevation, that's a lot of wall without any windows or anything. Have they seen these?

Ms. Oates: No.

Mr. Haire: Would these trees be lost as part of this? Which – I guess I don't know what photo I'm looking at, what direction.

Mr. Hansen: This is the south elevation looking north.

Mr. Haire: So the trees are going to be taken out with the addition? Is there any intention of replacing trees on the lot?

Ms. Oates: Probably. Haven't got that far.

Mr. Feeney: So it's going to be in line with the existing home, so the existing side setback is established and it's just going to extend it.

Mr. Hansen: Correct. It's expansion upon a non-conforming side yard setback.

Mr. Brusk: It's not conforming as it currently is.

Mr. Hansen: Correct. The required side yard setback is 25 feet and right now the house is set back 15 feet.

Mr. Brusk: The addition will be in line with that?

Mr. Hansen: Yeah.

Mr. Oates: Mrs. Oates is our daughter, my daughter and I had an illness and we felt it'd be better if we were close to her and so we called this, for better words, "mother-in-law" area. It'll just have a bedroom and a bathroom in it. And a deck would like nice.

Mr. Feeney: Pardon me, sir?

Mr. Brusk: And a deck, right? Also an addition of a deck there.

Ms. Oates: A deck.

Mr. Oates: Yes. The deck and there'll be a – the new construction will also be a four season room.

Mr. Haire: I don't have any concern with it. It's already in line with the existing house. It's not expanding beyond that area, so I don't see any issue with that.

Mr. Brusk: Does anyone out in the audience have any concerns or questions? (No response.) If not, I'll entertain a motion.

Mr. Stoffel: I'll move that we accept Item C-4 for variance 73-ZV.

Mr. Feeney: I'll second.

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

Mr. Brusk: Congratulations.

Mr. Oates: Thank you.

5. SPECIAL EXCEPTION APPLICATION, 1731 BRICE ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, CC; PRESENT OWNER'S NAME, MASON EQUITIES, WESTERVILLE, OHIO; REQUESTIONS A SPECIAL EXCEPTION FOR A SEMI-PUBLIC USE. CONTACT: STEVE FRIECE (42-SE).

Mr. Hansen: Just a background on this application. The Crossroads Community Development Corporation operates the Shepherd's Place Clothing Charity, which is located right next door to the proposed space. The organization wants to take over the adjacent tenant space and utilize it for job counseling, support group services and also hold semi-public use or a place of worship. The job counseling and support group use meets our zoning code requirements and is permitted use for the area, but the semi-public use requires that they get Special Exception approval from the BZBA. The space is approximately 1,972 square feet in area. Worship services will be held on Wednesday and Sunday. The Wednesday service will be smaller and associated with, I believe, one of the support groups and will have 15 to 20 people. The Sunday service will be larger and have 50 to 60 people in the space. Parking requirements for the largest of the services – our code requires one space per every four seats,. So if they're going to have a maximum of 60 people, they'll need 15 parking spaces.

Looking at the considerations for approval of the Special Exception, for the majority of the time throughout the week, the area that they're looking to expand into will meet the zoning code requirements as. A professional office is what we're considering the majority of the time. But for the semi-public use, the place of worship is only a minor part of the entire use of this space and the applicant has provided a detailed program in your packet which lists all the uses Monday through Sunday. There're adequate public services for the site. There's low traffic demands when this use will have its highest demand on Sunday, and there should be plenty of parking available at this site. There're a number of vacant storefronts right now at the Center and so parking will not be an issue. All other provisions of the zoning code appear to be met. No signage is being proposed for the site and it looks like they meet all the standards for Special Exceptions. So I can answer any questions, or Mr. Friece can answer any questions.

Mr. Brusk: Now, that's – Livingston is just south of there, right?

Mr. Hansen: Correct.

Mr. Brusk: That's what I thought. I wanted to make sure I was—

Mr. Haire: Yeah. The building down on the bottom corner is the Valu King, former Big Bear.

Mr. Stoffel: That's what it looks like now?

Mr. Hansen: This is their adjacent storefront which they currently occupy and to the left is the storefront which used to be the Brice Meats.

Mr. Brusk: You're going to take that sign down—

Mr. Hansen: They're going to take the sign down and put just a blank panel on it.

Mr. Steve Friece: We'll come back at a later time with a sign.

Mr. Brusk: Will you knock out the wall there? Is that an interior wall?

Mr. Friece: Pardon me?

Mr. Brusk: Will you have to knock out any walls?

Mr. Friece: No.

Mr. Brusk: Just – you'd put a doorway between the two buildings?

Mr. Friece: We won't use a doorway between them. This will be separate programming.

Mr. Brusk: Oh, okay. So that's going to be, in effect, a separate building?

Mr. Friece: Yes.

Mr. Brusk: Fully self-contained.

Mr. Hansen: Separate uses, yeah. One will strictly be more retail-oriented and this one will be more office and—

Mr. Friece: Programming—

Mr. Hansen: --programming, yeah.

Mr. Haire: Steve, could you just state your name for the record?

Mr. Friece: Sure. Steve Friece and I live at 423 Knob Avenue.

Mr. Haire: Thank you.

Mr. Brusk: Are there any questions?

Mr. Haire: I had one question about the Mobile Health Clinic. I imagine that's some type of, almost like the size of an RV or something they bring in.

Mr. Friece: Right. Correct.

Mr. Haire: Where do you anticipate parking that on the lot?

Mr. Friece: In the parking lot in front of the Shepherd's place, we'll have three spaces consecutively in the shopping center once this gets up and running and the coordinator of the Mobile Health Clinic for Mount Carmel East has been out to the site

and seen it and it will be in the evenings after the eye doctor has closed and after the Shepherd's place has closed. So there should be adequate parking there at the time that the clinic will be there.

Mr. Haire: Can you go back to the overhead? Okay, so about three spaces you think it would take up?

Mr. Friece: About – I think they said four to five.

Mr. Haire: And how would that work? Anyone could come and—

Mr. Friece: Yes.

Mr. Haire: --seek medical care there?

Mr. Friece: They usually have it in most locations that they service. They're there for two hours and they will service six to 10 clients in two hours' time.

Mr. Brusk: Is that a free clinic type thing?

Mr. Friece: It's an Outreach from Mount Carmel Hospital.

Mr. Brusk: Will there be advertising for that?

Mr. Friece: We will advertise it in our clothing store for people that do not have insurance, do not have access to medical care.

Mr. Brusk: It's a good idea. Any questions? Anybody else in the audience? (No response.) If not, I will entertain a motion.

Mr. Feeney: I'll make a motion we accept C5, Special Exception 42-SE.

Mr. Brusk: I'll second that.

(Mr. Hansen called the roll. Mr. Feeney voted "yes." Mr. Stoffel voted "obstain." Mr. Brusk voted "yes." Mr. Haire states, "Yeah. I believe it meets all the requirements of Section 1145.09, so I'll voted yes.")

Mr. Brusk: Thank you very much.

Mr. Friece: Thank you.

6. COMPREHENSIVE SIGN PLAN APPLICATION, 8460 E. MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING, CC; REQUESTING APPROVAL OF A COMPREHENSIVE SIGN PACKAGE UNDER SECTION 1181.03(D). CONTACT: MIKE DAVIS (484-ZS).

Mr. Hansen: In this application the Park National Bank, which is located in the Kroger Shopping Center, wanted additional sign exposure for Main Street. Previously they only had a sign that fronted onto Taylor Road on the building. They went to the Design Review Board to approve the sign presented. I don't have it in the presentation. It's in your packet. The sign that was in your packet was approved, the location shown with the blue dot. The Design Review Board approved the location and the composition of the sign. But previously this site had an already approved comprehensive sign package for all the different signs on the site and there're a number of them. You can see the number of different kinds here and each of those signs, they are on the building, on the gas station and on the monument sign out front and so in order to place this new sign fronting onto Main Street, we're effectively revising the already approved comprehensive sign plan to include the sign. Here's the elevation and the sign will be placed in this upper right hand corner on the building.

Mr. Brusk: Will it look like the one that's in the picture?

Mr. Hansen: Correct. Exactly.

Mr. Brusk: Okay. Is there someone here from them? Please state your name.

Mr. Mike Davis: Mike Davis, Kessler Sign, 2669 National Road, Zanesville, Ohio.

Mr. Brusk: Is that one sign that's currently there now that says "Park National Bank" still going to remain?

Mr. Davis: On the front of the building.

Mr. Brusk: This is just—

Mr. Davis: Yeah. What they did originally when they built this building back, what was it, '04 I believe, and then they had the comprehensive sign plan with the signs on the front and then it was, I believe two years thereafter that they come in and they put the gas station out front with the canopy. Well, a lot of people don't even realize the bank's down in there because they have no other identification other than the small letters on the front of the store, so they was wanting to get exposure to East Main Street on that corner.

Mr. Brusk: Okay. Any questions?

Mr. Haire: This will be a white sign? Is that correct?

Mr. Davis: Yeah. White letters similar to the "Pharmacy" there.

Mr. Haire: Okay. (several people talking)

Mr. Hansen: Yeah. On the Taylor side.

Mr. Brusk: Okay. So it's not going to look exactly like this. This kind of looked like it was two dimensional. What we're looking at is really a—

Mr. Davis: As you see, that says "Pharmacy Drive-Thru." It'll be that type of sign just put around the corner of the building with what they call raceway stand-off.

Mr. Brusk: And it's going to be white letters on that? I don't see any problem with it. If you asked me which bank was in there, I wouldn't tell you if it was "Park National" and I go in there all the time, so I understand your need for it.

Mr. Davis: That's a problem, yes.

Mr. Brusk: Are there any other questions? (No response.) I don't see a problem. I'll make a motion that we accept Item C6, 484-ZS.

Mr. Haire: Second.

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

Mr. Davis: Thank you.

Mr. Brusk: Thank you very much. I like that look. It kind of looked barren anyway without-- (inaudible) If not, we'll adjourn this meeting.

D. OTHER BUSINESS - None

E. ADJOURNMENT

The meeting was adjourned at 7:25 o'clock, p.m.

Norman Brusk, Chair

Matthew Hansen, Planning Administrator

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