

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
June 21, 2007

A. CALL TO ORDER

1. ROLL CALL

Members Present:

Mr. John Brandt
Mr. Duane White
Mr. Norman Brusk
Mr. Patrick Feeney
Mr. Thomas Kucera
Mr. Lucas Haire,
Planning Administrator

Members Absent:

Others Present:

2. APPROVAL OF MINUTES

Chairman Feeney: With that we'll approve the May 17, 2007 minutes. I see we have an addition to the minutes.

Mr. Haire: There's no addition. I just need a signature.

Mr. Feeney: I'll sign the minutes. Are there any changes? (No response.) If not, we'll approve the minutes as printed.

3. APPROVAL OF THE AGENDA

Mr. Feeney: Are there any changes to the agenda as printed?

Mr. Haire: There's none.

4. SWEARING IN OF SPEAKERS:

Mr. Feeney: If anyone is going to speak in front of the Board, if you'll stand. (Mr. Feeney administered the oath.)

5. PUBLIC COMMENT

Mr. Feeney: Is there any other public comment other than what's going to be on the agenda for tonight? (No response.) Hearing none, continue with Unfinished Business.

B. UNFINISHED BUSINESS

1. MAJOR SITE PLAN REVIEW APPLICATION; 1200 SOUTH WAGGONER ROAD, REYNOLDSBURG, OHIO; PRESENT USE, A3 CHURCH; PROPOSED USE OF LAND STRUCTURE, A3 CHURCH; PRESENT ZONING, SPECIAL; PRESENT OWNER'S NAME, MESSIAH LUTHERAN CHURCH. CONTACT NAME: NIKKI ROSS (05-MS).

Mr. Haire: I'll just go ahead and go over what we talked about last meeting. Last meeting we tabled this item because of issues with drainage that have yet to be resolved with the City's Engineer EMH&T, and also because of issues with access from the Fire Department. I passed around a letter from the Truro Township Fire Department and they are satisfied with the changes that have been made with the Site Plan in regards to gaining access to the structure now. And I've talked with the EMH&T and they're satisfied with the drainage changes that have been made as well. So as far as the two issues we talked about last time, those have both been resolved at this point.

Mr. Feeney: Good.

Ms. Nikki Ross: I'm Nikki Ross and I'm with Meacham & Apel Architects. I'm here this evening with one of the congregation members, Dave Dahnke and we're hoping to answer any questions that you might have with regard to these changes.

Mr. Feeney: Could you just go over what the changes were and point them out?

Ms. Ross: Sure. One of the largest concerns that EMH&T had was that we did not have a significant enough sized detention basin if there was a large storm, one of the 100 year storms that they were designed for. So we redid the calculation and provided the larger detention basin that they were requesting. We also made some adjustments to the storm sewer here that they had requested, so in the event of a similar situation we would have proper drainage from the site and also storm water detention for storm water quality. The second issue with Truro Township Fire Department was that they did not feel confident that they could get in in the event of a fire and provide the service that would be expected of them. So we are revising this south drive so that it is 20' in width and we've moved it a little bit to the north so that they have plenty of turning radius to get into the drive and have plenty of clearance to get back to the back of the site where the new addition is. Those are the major changes.

Mr. Feeney: I knew the Fire Department issue was a stickler.

Ms. Ross: I think that we've finally reached a common ground that everyone is happy with.

Mr. White: What I see from the entrance that it's changed from 10' to 12'?

Ms. Ross: Which entrance?

Mr. White: The pathway into the parking lot area.

Mr. Haire: It went to 20', 10' to 20', so it's almost double in size.

Mr. Brusk: We did see a letter from the Fire Department which said that they were satisfied that it meets their needs, so we're pleased that that's been taken care of.

Mr. Feeney: Are there any other questions from the Board?

Mr. Brusk: The only other thing was the issue on the landscaping inside the parking lot. Is it still agreed that if they expand that they will have to meet our requirements for the amount of green space in there.

Ms. Ross: That was written up in a letter that Mr. Haire had written to us stating that the variance was granted with the condition that at the time that there's future development the existing requirements are met.

Mr. Brusk: Did we pass-- Oh, that was separate.

Mr. Haire: It passed last month. We only tabled the Major Site Plan.

Mr. Brusk: Okay, I take that back then. Withdraw the question.

Mr. Feeney: Okay, are there any other questions? (No response.) Are there any questions from the public? (No response.) If not, I'll accept a motion.

Mr. Brusk: I move that we accept item B1 (05-MS).

Mr. White: I second it.

Mr. Feeney: Please call the roll.

(Mr. Haire called the roll. Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Motion passed.)

C. NEW BUSINESS

1. VARIANCE APPLICATION; 7307 WARWICK AVE., REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1171.06 (3) OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW CONSTRUCTION OF AN ACCESSORY BUILDING THAT OCCUPIES MORE THAN 20 PERCENT OF THE REAR YARD AND HAS A FLOOR AREA GREATER THAN 50 PERCENT OF THE

RESIDENTIAL FLOOR AREA OF THE DWELLING. CONTACT: MICHAEL SULLIVAN (16-ZV).

Mr. Haire: Basically, with this application— The applicant currently has a garage on the property. What they're proposing is to tear down the existing garage and to build a larger garage. The garage they are proposing is a 30 x 30 garage, which would be 900 square feet. The existing home on the site is 984 square feet. So our maximum permitted square footage for a garage is half of that 984. So what they are proposing is 91% of the size of the house. So it's almost as large as the house in this case. Also we have a requirement in the zoning code that you can't take up more than 20% of the required rear yard. This structure takes up about 33% of the rear yard, so about a third of the rear yard, so they're well over that requirement as well. There are a number of garages in the neighborhood that are non-compliant with the code. There's a couple along Roshon Avenue. You can see, if you look at the top right-hand corner, there's another garage there that's a 24 x 30, although that house is quite a bit larger than the residential structure here. But a garage of that size is not out of character for the neighborhood.

Mr. Michael Sullivan: Originally I wanted to have 30 x 40, but Lucas informed me that that that would probably be impossible.

Mr. Haire: Do you just want to state your name for the record?

Mr. Michael Sullivan: I'm Michael Sullivan, I'm sorry.

Mr. Haire: This is the rear yard currently – existing garage on the right-hand side, there's a shed there as well. So the new garage would take up approximately out to where that shed is located and including the existing garage and that is the view from the street.

Mr. Brusk: Sir, have you talked to your neighbors about this proposed change?

Mr. Sullivan: Yes, sir, I have. Especially the one behind me; he already has a garage larger than what I'm proposing, I believe. I was communicating with him to see what I needed to do to get me a bigger one.

Mr. Haire: The garage at the rear of the 7316 Roshon Avenue was granted a variance to build a garage a number of years ago. It's 24 x 24.

Mr. Brusk: So that's about 400 or 500—

Mr. Sullivan: It's also two-story, though.

Mr. Feeney: What type of material are you going to use?

Mr. Sullivan: I am a woodworker. My hobby is woodworking and I just want room to be able to woodwork and my wife is tired of not being able to park in the garage with all my saws and stuff. So I just wanted a little room for my hobby.

Mr. Haire: As far as exterior materials what are you proposing for the exterior?

Mr. Sullivan: Same as the house. I'm going to go with the matching siding so everything looks same as the house.

Mr. Feeney: So it will be a wood structure with siding on it. Is that what it is?

Mr. Sullivan: Yes.

Mr. White: Is this hobby of yours a business of some sort?

Mr. Sullivan: No, sir.

Mr. Feeney: Is there any other Board comment?

Mr. Brandt: My only concern given the size in the event you would move on, this could certainly seem to me to lend itself to turn into some type of commercial use for auto repair or—

Mr. Sullivan: No, sir. I think I was talking to Lucas a while ago about when you're trying to cut a piece of wood that's 8 feet long, you need 8 feet in front of your saw and you need 8 feet in back of your saw. I don't know if you've ever tried to cut a piece—

Mr. Brandt: I understand what you're saying, but what I'm saying is in the event in a few years you decide to move, the garage that size would lend itself very easily to somebody waking up the neighbors, waking up and finding an auto repair shop.

Mr. Sullivan: We plan on dying here, especially if I build this. My wife said we can't ever move and I believe her.

Mr. Brandt: Well, I would take that for gospel. Is there any way you could live with a little less than 30 x 30?

Mr. Sullivan: Well, like I said, I originally wanted to do a 30 x 40, but Lucas informed me that there was no way I'd get something bigger than my house. So maybe I should make my house bigger.

Mr. Brandt: That's always an option.

Mr. Sullivan: Really, I was shooting for the 30 x 30. It's really not as much as I'd like to have.

Mr. White: I guess my concern is that with that size of a garage you're taking up a lot of green space and I see that there are other areas that have the same kind of configuration that takes up some space, but if we just continue to allow that kind of existence there would be no green space in the area and that's my concern – just too large.

Mr. Feeney: What type of garage doors are you going to have? Is it going to be individual garage doors or are you going to have just double and then the rest of it is going to be—

Mr. Sullivan: Exactly. I wanted to do a double door, I mean one door just double size.

Mr. Feeney: So it will be a lot of—

Mr. Haire: So on the front of the building you'd have a double door and then you'd have a man door as well on the front of the building or the door on the side.

Mr. Sullivan: A regular walk-in door, yes, sir.

Mr. Brusk: Lucas, what are the typical home sizes in that area? I know that seems awful small for his.

Mr. Sullivan: All the houses in the neighborhood are all about the same. If you go--

Mr. Haire: Yes, they are anywhere between 900 and 1,200, 1,300 square feet at the most. The whole Brookside area, most of it is right around 1,000 to 1,200 square feet.

Mr. Sullivan: That's part of the reason I'd like a larger garage too is that there's just no storage at all in those houses. There's just no room.

Mr. Brusk: Would a larger garage impair any of the drainage in the area? You're cutting out a lot.

Mr. Sullivan: No, sir. There's a slope on the—

Mr. Brusk: Yes, but what's happening is the more cement you add, the more water gets there that doesn't get absorbed by the ground and the more—

Mr. Haire: Right, and that's why the percentage requirement is there for the rear yard – the 20 percent. Like I said, this would be closer to 33 percent.

Mr. Sullivan: It would be my understanding that with the footing that you would add some drainage with the footing too. Wouldn't that—

Mr. Brusk: Yeah, but--

Mr. Sullivan: Because I don't think the garage the way it's built now even has a footing because all my slab is broken up into little chunks. If anything, I think I would probably improve the drainage by building this structure because of the way the footings are.

Mr. Brusk: It's just the less green area, the less—

Mr. Feeney: You mentioned that your neighbor, and, Lucas, they did get a variance to build a 24 x 20?

Mr. Haire: Yeah. They've got a 24 x 24 garage.

Mr. Sullivan: But it's also two-story. I don't want two-story.

Mr. Haire: The biggest garage in the neighborhood is the one at 7346 Roshon. That one is 24 x 30.

Mr. Feeney: And we approved a variance for that?

Mr. Haire: I don't know. That one was built before -- I didn't find any record of a permit for it anywhere.

Mr. Sullivan: There's even a larger one the next street up from me. They have a double RV garage which I believe is even bigger than 30--

Mr. Haire: There's quite a few large garages, but most of them are in the rear yard and they are not really that noticeable from the street.

Mr. Brusk: But this wouldn't be much more noticeable from the street than it is now, would it?

Mr. Sullivan: No, not at all.

Mr. Brusk: You're looking at the—

Mr. Sullivan: As a matter of fact you see the -- the trees are in the way, but if the trees weren't in the way, you'd see my neighbor's garage behind me. That's how huge his is.

Mr. Brandt: How long have you been a resident?

Mr. Sullivan: Seven years now. I moved here in 2000.

Mr. Haire: Yes, you can see the neighbor's two-story garage to the rear there above the basketball hoop.

Mr. White: What's the size of your current garage?

Mr. Sullivan: 16 x 24.

Mr. White: Would you consider reducing it to the requested diameter?

Mr. Sullivan: I'm sorry?

Mr. White: Would you consider reducing the size of your garage?

Mr. Sullivan: If I didn't have a choice. I'd really prefer the 30 x 30, but if I had to go 30 x 24, I would still be happy to get it.

Mr. Feeney: 24 coming from the rear?

Mr. Sullivan: Right, the depth.

Mr. Brusk: Would you do away with the shed that's there?

Mr. Sullivan: If I got the 30 x 30?

Mr. Brusk: No, if you got the 30 x 24?

Mr. Sullivan: Like I said, storage is such an issue because the houses are so small. Yes, I could remove the shed.

Mr. Brusk: I'd be tempted to go forward if we reduced it to that level plus the shed being removed.

Mr. Haire: With the shed already there I don't know what the size of that shed is maybe an 8 x 10 or 8 x 8, so you're getting rid of the 8 x 8, increasing another 70 square feet. That's not too much of an increase.

Mr. Brusk: Are you saying that's really moot, that's really isn't much of an issue. Is that what you're saying?

Mr. Haire: What?

Mr. Brusk: The 8 x 8 shed?

Mr. Haire: No, if you get rid of the 8 x 8 shed, the increase of a 30 x 24 versus getting rid of that 64 square feet that's already there, I mean the square footage you're gaining isn't that large.

Mr. Sullivan: Right. That's my worry about getting rid of the shed. I wouldn't want my porch to end up being a shed-like area.

Mr. Feeney: If it goes 30 x 30, how close is it from your house to your new garage? Do you know what that is?

Mr. Sullivan: It would increase 6 feet closer. I'm not sure what the dimension is. I believe there's about 25' now. It would still be about 20', 19 or 20'.

Mr. Haire: It's over 15. I know that. That's what our requirements are. I looked it up.

Mr. Sullivan: It would be in excess of probably 18 or 19 feet.

Mr. Feeney: I think if the 30 x 30 goes, then the shed's gone too?

Mr. Sullivan: Sure.

Mr. Brusk: You say your neighbor – well, I guess none of the neighbors would be too unhappy.

Mr. Sullivan: No, no. They're all—

Mr. Brusk: Maybe I'd buy that a 30 x 30, no shed.

Mr. White: A shed seems like it would take up -- give you more green space.

Mr. Sullivan: That extra six feet, I could build a little area in there just for shed items. That would be fine.

Mr. Feeney: Are there any other questions from the Board? (No response.) Are there any questions, comments from the gallery? (No response.) If none, I'll accept a motion.

Mr. White: I'll move for approval of variance number C1 (16-ZV).

Mr. Brusk: I'll second it with the addition on it that the shed be removed if this is approved, to allow for more green space. You're not going to add any more driveway or anything, are you?

Mr. Sullivan: No.

Mr. Brusk: Okay.

Mr. Sullivan: As a matter of fact, you're actually going to lose a little piece of the existing—

Mr. Brusk: I was going to say that probably wouldn't be bad for the—

Mr. Sullivan: Actually I want to remove -- there's a brick patio on the side there if you can see, that's going to be removed also.

Mr. Brusk: Oh, okay. That will help a little bit.

Mr. Feeney: Okay, if we could have the roll, please.

(Mr. Haire called the roll. Mr. White voted "Yes, with the condition as Mr. Brusk indicated." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "Yes, with the condition that the shed be removed." Motion carries.)

2. VARIANCE APPLICATION; 1898 BRICE ROAD, REYNOLDSBURG, OHIO;
REQUESTING A VARIANCE FROM SECTION 1181.03 (C) 1 OF THE
REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW SIGNS ON WALLS
NOT PARALLEL TO A STREET. CONTACT: DINA CHENEY (17-ZV).

Mr. Feeney: Is there anyone here to speak on this issue?

Mr. Haire: I don't believe so.

Mr. Brusk: Did you talk with them? Any indication that they weren't going to be here?

Mr. Haire: No, I haven't.

Mr. Brusk: Well, I will move that we table this issue for one month and if they don't show, we'll just do away with it.

Mr. Brandt: I'll second it.

Mr. Feeney: Do we vote on tabling things?

Mr. Haire: Just say "all in favor."

Mr. Feeney: All in favor? (Board members responded aye.) Opposed? (No response.) Tabled Item C2.

3. VARIANCE APPLICATION; 8187 SHALE VALLEY DRIVE, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1175.03 OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW THE CONSTRUCTION OF A DECK WITHIN THE REQUIRED THIRTY (30') FEET REAR YARD OF THE R-3 DISTRICT. CONTACT: MATTHEW DALTON (18-ZV).

Mr. Feeney: If you will kind of explain what you want to do and go from there.

Mr. Matthew Dalton: The way our house is designed, I want to build a 14 x 12 deck, but you're saying that I can only come out 8 feet and I was trying to come out to 12 feet for some extra space. I have plenty of green space back there. I talked to all the neighbors. I'm just building a basic square deck.

Mr. Haire: Currently the rear yard is 38.62 feet, so the maximum they could come out from the house and be within code is a little over 8.5 feet.

Mr. Dalton: Right.

Mr. Brusk: The house behind them is moved forward. That's got a pretty big back yard, doesn't it?

Mr. Haire: Correct. The style of home that's on Shale Valley Drive, the garage is built in front and it's a two-story house behind, so the garage is the actual front setback line, so the house itself sits back further on these lots. The houses to the south have a bigger rear yard because their garage is not built in front. It's built within the structure of the house, so it sets a little further forward.

Mr. Brusk: That's Ravine Way isn't it that's running north and south?

Mr. Haire: North, south is Ravine Way, yes.

Mr. Brusk: They're finally putting up a house next to you?

Mr. Dalton: Yes, I'm glad too. Where my seed line is, you can see where they, I only come about three more and I've got plenty of more room back there, a lot of green all the way around.

Mr. Haire: That's a picture of the rear there.

Mr. Brusk: Your yard comes to where the box is?

Mr. Dalton: Yes, back to the box because I'm three foot -- where I plant the trees, I come three feet back. So I've got a couple of more space behind the trees.

Mr. Brusk: So how far are they encroaching? About three feet?

Mr. Haire: Yes, about 3.5 feet.

Mr. Brandt: Just your basic square deck?

Mr. Dalton: Yes, I'm not doing anything fancy, just a square deck.

Mr. Haire: In your packet you've got a plan that shows the basic deck.

Mr. White: Is there any drainage going back through there?

Mr. Dalton: Yes, I mean I have no flooding or nothing back there. I've got a slope that runs -- the whole back yard runs like this back there.

Mr. Haire: Yes, it's all graded to that center area, so this wouldn't impact any type of drainage.

Mr. Brusk: I wish we didn't have this ordinance the way we have it. What would be the negative impact if other people came for variances like that? Would it be a real problem in this kind of a neighborhood?

Mr. Haire: Not necessarily. There are a number of homes that Maronda built that are designed like this gentleman's home with the garage in the front and the house behind, so there are a number of places that are going to come in in the future and request decks and they've only got eight feet to build them.

Mr. Brusk: An eight feet deck is kind of—

Mr. Haire: It's not very useable. In the future there's going to be a lot of requests for this in this neighborhood.

Mr. Brusk: And in the future do we want to grant them or not? And in this neighborhood I can't see it being a problem. It's big lots—

Mr. White: Huge lots in the back there.

Mr. Brandt: The way I look at it, he's coming in here doing what he supposed to be doing, instead of getting the guys to put it up on a Saturday when no one is around. Let's be practical. Are you going to build it or are you going to have it done?

Mr. Dalton: I'm going to do it myself. Yes, I'm just doing a basic square one, so there isn't any fancy stuff, so it's easy.

Mr. Brandt: The drawing looks nice. I don't see any problem. What kind of wood are you going to use?

Mr. Dalton: Pressure treated wood.

Mr. Feeney: Is there any other comments or questions from the Board? (No response.) Any comments or questions from the audience? (No response.) I'll accept a motion on Item C3.

Mr. Brusk: I'll make a motion for approval on Item C3, application (18-ZV).

Mr. White: I'll second it.

Mr. Feeney: Could we hear the roll, please.

(Mr. Haire called the roll. Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Brusk, "Okay, despite my hesitancy to allow a change in this kind of for precedence sake, I personally think it's the right thing to do and I'll vote yes." Motion carries.)

Mr. Matthew: Thank you.

4. MAJOR SITE PLAN REVIEW APPLICATION; 1946 BALTIMORE-REYNOLDSBURG ROAD, REYNOLDSBURG, OHIO; PRESENT USE, VACANT LAND UNDER CONSTRUCTION; PROPOSED USE OF LAND STRUCTURE, 9,600 SQUARE FOOT RETAIL CENTER; PRESENT ZONING, CS. CONTACT NAME: JAMIE MOORE (06-MS).

Mr. Jamie Moore: I'm Jamie Moore, JRM Development.

Mr. Haire: Basically, I'll explain this one. We approved this Site Plan in November 2006 for the construction of this retail center. Basically what's taken place, the lot that is to we'll call it the north for lack of a better direction here, towards WesBanco, they've had a restaurant user take that lot. The restaurant user, however, did not take the entire lot, so it left about 45 feet that was going to be unused. So what they've done is they've incorporated that into their site plan and added some additional parking and a 16 foot wide patio area along the north side of the building. So the additional parking will allow them to have some additional restaurant users and some uses that they wouldn't be able to have otherwise because of parking restrictions. So basically what they've done is on the north side they've added spaces that weren't there before.

Mr. Brusk: Parking spaces you're talking about?

Mr. Haire: Correct.

Mr. Moore: This entire area has been added parking.

Mr. Brusk: Okay, where is Rt. 256 on this map? Okay. And that's where you want some--

Mr. Haire: This was the building that was designed so that the basically the front of the building is the back. You enter the building from the back and all of the parking was designed to be in the back. The 256 side of the building is actually the rear of the building.

Mr. Brusk: But it's going to have a nice facade.

Mr. Moore: Yes, it's two sided. There almost mirrors of each other.

Mr. Brusk: It's going to look nice from Rt. 256?

Mr. Moore: Yes.

Mr. Brandt: We heard about that, didn't we?

Mr. Haire: Yes, we did hear about that.

Mr. Brandt: So you're going to put a patio out on the end, too?

Mr. Moore: Yes, since we did the whole development, we got left with this land because really we lost a lot with the amount that Culver's ended up taking, so we had to do something with it.

Mr. Brandt: You just didn't make as much. Have you got a tenant for it?

Mr. Moore: We have LOI's out for a good portion of it. And really one of the reasons we decided to go ahead and do the parking and the extra patio space was we had a tenant that is still very interested and happens to be a restaurant and they need a patio.

Mr. Brandt: That's good.

Mr. Haire: So any--

Mr. Moore: And obviously we needed the extra parking as well.

Mr. Haire: Any type of patio would have to come back before the Design Review Board for an approval as far as what it's going to look like. They're not proposing to do the patio themselves, so whatever tenant comes in will do a tenant finish and basically whatever type of fence or those types of things, especially if there is alcohol served, they have to fence those areas in. So that will all be approved at the Design Review Board.

Mr. Brusk: Right. In your comments, Lucas, we were talking about ensuring that that area where those new 17 spaces are, has some sort of screening to the road. Is that correct?

Mr. Haire: Yes, basically what I've asked is that the area in between the parking lot and Rt. 256, just extend the landscaping out there. So it would be across where like the loading zone is at the bottom just to add an extra row of landscaping there just to screen that off. The electric meters for the building are on that portion of the building, so that will kind of screen those from the street as well, which we've been asked to do.

Mr. Brusk: It will make the electric meter guys have to walk all the way around.

Mr. Haire: No. I'm sure if a patio goes in there, that will help screen it as well.

Mr. White: Just for my clarification, Rt. 256 runs along the additional parking lot? I didn't see it when you pointed it out before. Oh, it's there. Okay.

Mr. Haire: Rt. 256 at the bottom here. The additional screening they are talking about, we'll do across this area right here.

Mr. White: Okay.

Mr. Haire: Extend these plantings across that portion of the parking lot.

Mr. Brusk: There are no other negatives are there on putting this in?

Mr. Brandt: My only real concern about it is, and I was here when Dave presented it and so on, and we talked about an issue up in Westerville that kind of has a front and a back, but it really does have a front that you can park in front of as opposed to a back that you only park in back of.

Mr. Moore: Really, the closest example would be Avery and Perimeter, that center there.

Mr. Brandt: Oh. But my concern is the back side, and it's water over the dam now, but I can see the employees on their smoke break all sitting out there along the back and it looking like the chain gang taking a coffee break.

Mr. Feeney: We brought that issue up.

Mr. Moore: We will write that into the leases.

Mr. Brandt: What? The smoking?

Mr. Moore: Yes, basically like I used to own restaurants and we never used to let the employees do that. I mean it wasn't even in our leases, but they'd always have to smoke in the dumpster or in their cars.

Mr. Brandt: Yeah, because I was out up in a major retail area the other day and it just hit me, I walked around back of the place of those and there were about four restaurants along there and it looked like the chain gang all out there smoking. And I could just see coming down Rt.256 someday and there will be 30 people standing out there.

Mr. Feeney: We had an issue there at that OSU Medical Center where we let them extend the back out toward Main Street and that's their smoke area.

Mr. Moore: I agree. We talked about that before. We'll put that in the lease.

Mr. Brusk: Okay.

Mr. Feeney: Can I ask about the additional lighting, if any, for this additional parking space?

Mr. Moore: Yes.

Mr. Feeney: What's the plan?

Mr. Moore: They are doing a study right now. We're going to add lighting to cover it because obviously the north side with the building now won't be able to get the light in the front. We'll have to do something there that's not going to bleed onto them.

Mr. Brusk: Yes, you've got condominiums over there.

Mr. Feeney: Yes, but that's supposed to be something that we're supposed to review.

Mr. Moore: Right. I think they'll be—

Mr. Haire: Typically something the Design Review Board looks at.

Mr. Moore: And we'll have—

Mr. Feeney: I thought that was supposed to be on our plans too for approval?

Mr. Haire: It's not included in the Major Site Plan checklist.

Mr. Brusk: I thought it was.

Mr. Moore: We're having a photometric, actually it might even be done, but I haven't seen it yet.

Mr. Haire: So it's not really under the purview of this Board.

Mr. Moore: But we're—

Mr. White: I just have one question regarding the traffic flow. I see an entrance in there where it says 22". Is that all self-contained in the parking lot? I mean you can't exit or enter otherwise through that entrance right there?

Mr. Moore: I'm sorry, where's that?

Mr. Haire: There's only one entrance and exit to the site and it goes onto the access road that runs behind all these properties. There's no other access.

Mr. White: Okay.

Mr. Brusk: And the poor guy that parks in the first spot has got a problem.

Mr. Feeney: Are there any other Board comments or questions? Obviously there's no more audience, so I'll make a motion that we accept—

Mr. Brusk: I'll move that we accept item C4 (06-MS) the Major Site Plan Review Application with the stipulation of the landscaping and no smoking in the back.

Mr. Brandt: I'll second that.

Mr. Feeney: Could we hear the roll, please?

(Mr. Haire called the roll. Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Motion carries.)

Mr. Moore: Thank you.

Mr. Feeney: No more items under New Business.

D. OTHER BUSINESS

Mr. Feeney: Under Other Business to discuss appointment to Design Guidelines/Standards Committee.

Mr. Haire: As you all remember, I think everyone attended the joint meeting we had with the Design Review Board and the Planning Commission and we talked about maybe establishing some design guidelines for the commercial areas of the City. Currently there's no standards or guidelines that are set for design of buildings and we

talked about with the investment that the City has done in Main Street, possibly establishing some guidelines or standards that people would be required to follow when bringing plans before the Design Review Board. Since that time we've discussed at a number of Design Review Board meetings. At the last meeting they have requested to put together a committee made up of nine members, which two of those would be from the Design Review Board, one from the Board of Zoning and Building Appeals, one from the Planning Commission, one from City Council, one from the Chamber of Commerce, myself and two design professionals. So what they've asked is that I go before the different Boards of the City and ask for them to appoint someone to serve on a committee. At the next meeting of the Design Review Board, which will be July 5th they're going to talk more about the scope of this committee and try to get together a Mission Statement for what this committee will be charged with doing. We haven't really discussed a time line at this point for how long of a commitment this will be. It's likely going to be one meeting a month. I don't know what night that will be either. We haven't set that. I'm guessing it will likely be a Thursday night, because that's when our other Board meetings are on, so a lot of people have that night available. So, with that, I'll leave that up for your discussion to decide whether you want to appoint someone to serve in that capacity or if anyone wants to volunteer for that.

Mr. Brusk: I think John Brandt would make a wonderful—

Mr. Brandt: I think Kucera. If you don't show up you always get put on a committee.

Mr. Feeney: It's too bad Tom's not here, because I know he was enthusiastic on that joint meeting.

Mr. Brandt: I think he might be the right person.

Mr. White: He seemed like he was pretty interested.

Mr. Brandt: We could tentatively nominate him and if, for some reason, he says "I can't do it," then we put Feeney in.

Mr. Feeney: No, let's put White on. I've got a coin here. Who wants to call it? What happens if the candidate, actually somehow gets elected?

Mr. Haire: There's no issue with that.

Mr. Brandt: That's moot.

Mr. Brusk: That's moot? Oh, man, that makes me feel bad. You don't think I have a chance do you?

Mr. Brandt: Not in this day and age.

Mr. Feeney: I think everybody wants to offer it to Tom first, I guess. Do you agree with that?

Mr. White: I agree with that.

Mr. Brandt: Yes.

Mr. Feeney: If Tom can't do it—

Mr. Haire: We're not looking at meeting until probably August or September, so it's okay if we wait another month and we will tentatively I guess all in favor of appointing Tom say aye. (Members said aye). Opposed? (No response.) Looks like Tom will get it then. Like I said if Tom can't do it for some reason, we'll discuss it at the next meeting and I'll contact him before then and see if he's willing.

Mr. Feeney: Will you call him and explain the whole thing to him and what's involved.

Mr. Haire: Yes, I'll do that.

E. ADJOURNMENT

Mr. Feeney: No other business, we'll adjourn.

The meeting was adjourned at 7:22 p.m.

Patrick Feeney, Chair

Lucas Haire, Planning Administrator

The meeting was transcribed by:
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