

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
MAY 20, 2010
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

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

2. APPROVAL OF MINUTES OF APRIL 15, 2010 MEETING

Chairman Brusk: Are there any changes, corrections? (No response.) Hearing none, I will accept those minutes as written.

3. APPROVAL OF AGENDA

Mr. Brusk: Are there any changes in the agenda?

Mr. Hansen: There are no changes.

Mr. Brusk: Being no changes, I consider the agenda approved.

4. SWEARING IN OF SPEAKERS

(Mr. Brusk administers the oath.)

5. PUBLIC COMMENT

Mr. Brusk: Is there any public out here besides our Councilman? No? Hearing no public comment we'll move on to Unfinished Business.

B. UNFINISHED BUSINESS

(No Unfinished Business)

C. NEW BUSINESS

1. VARIANCE APPLICATION, 805 MUELLER DRIVE, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM R-3 REAR YARD REQUIREMENTS (TABLE 1175.03) OF THE REYNOLDSBURG ZONING CODE TO REDUCE THE REAR YARD SETBACK FROM 30 FEET TO 23 FEET. CONTACT: RANDALL PRESTAS (67-ZV).

Mr. Brusk: We have someone speaking on this? Would you be sure to give your name and address and then tell us briefly what it is you're asking for?

Mr. Haire: Can Matt do a quick presentation on it?

Mr. Brusk: Oh, sure. Okay. You could still give your name and—

Mr. Prestas: Randall Prestas. My address is 805 Mueller Drive.

Mr. Brusk: Now you can do your presentation.

Mr. Hansen: The existing lot here has an existing paver patio and rear steps. The applicant would like to remove the existing steps and place a deck that will extend 12 feet from the rear elevation of the building and be approximately 10 feet wide. There is 31 feet in between the back of the house and the rear property line and so there would be a reduction of 9 feet. The zoning district is R-3 and that's surrounded by R-3 also. Here's just some elevations of the proposed patio. Looking at the property, the lot size is smaller than what's specified in the R-3 zoning standards and so that greatly reduces the rear yard capability because the lot depth is smaller. Other lots in this subdivision and in this district have comparable decks and it would be that egregious of a variance. So, any other questions?

Mr. Brusk: Are there any of the other houses that are extending into the rear, or are all of them within the—

Mr. Hansen: Primarily they do meet those standards.

Mr. Brusk: But the reason on this one is that the lot is smaller, bigger house than—

Mr. Hansen: It's smaller. Yeah. And the building footprint is in such a way that— It's longer in the front so the majority of the house sits farther back.

Mr. Brusk: Okay. Are there any questions? I don't think I really have much in my—

Mr. Haire: Could you go back to the first aerial photo, Matt? Your neighbor to the rear at the 786, is that a patio or is it a deck?

Mr. Prestas: It's a concrete patio.

Mr. Haire: Concrete. Okay.

Mr. Brusk: Yeah. That cuts in pretty close, too.

Mr. Hansen: Yeah. Concrete patios do not need to meet setback requirements.

Mr. Haire: No. And it looks like the house is setback – the whole entire garage is sitting in front of the house on the building setback, so you’ve got 20 feet before you even get to the house.

Mr. Prestas: Yeah.

Mr. Hansen: Correct.

Mr. Brusk: Hearing no comments – is there anybody out in the audience that has any comments? (No response.) Nobody has any comments? I’d like to entertain a motion.

Mr. Feeney: I make a motion that we accept Item C1, variance 67-ZV.

Mr. Brusk: Thank you, Mr. Feeney. Anyone wish to second that?

Mr. Rettke: Second.

Mr. Brusk: Thank you very much, Mr. Rettke.

(Mr. Hansen called the roll. Mr. Haire voted “yes.” Mr. Feeney voted “yes.” Mr. Stoffel voted “yes.” Mr. Rettke voted “yes.” Chairman Brusk voted “yes.”)

Mr. Brusk: Thank you very much. Good luck with that and make sure you get all the zoning—or the building permits, etc.

Mr. Prestas: Thank you.

2. VARIANCE APPLICATION, 996 COTTINGHAM ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1175.06(a) TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 30 FEET TO 22 FEET. CONTACT: REBECCA PERKINS (68-ZV).

Mr. Brusk: All right. Would you please give your name and address and then we’ll have a brief presentation and then we’ll ask you questions.

Ms. Rebecca Perkins: Rebecca Perkins, 996 Cottingham Road.

Mr. Brusk: Thank you.

Mr. Hansen: Okay. Here's an aerial view of the site. The applicant is requesting a variance, an 8-foot variance into the front yard setback to construct a front porch. The zoning district is R3 and surrounding zoning districts are also R3. Looking at other properties in the subdivision and the zoning district, we see a number of front porch patios that have been added to these properties. This one's at 1018. It's also an 8 foot encroaching the front porch with a 24-foot setback. Here, if you look on the far left, it's a 6-foot front porch with a 24-foot setback. So the front porch that the applicant is proposing is in keeping with the neighborhood and it's minimally designed to be a functioning front porch. The lot standard is 30 feet. The front yard setback (and that was most likely established after the majority of these houses were built).

Mr. Brusk: Is that what the porch is going to look like?

Ms. Perkins: No. Mine is going to be wood, more like this one.

Mr. Brusk: Oh, okay.

Ms. Perkins: With a peaked roof.

Mr. Haire: So, will the peak of the roof match the existing roofline of your house or will it be more steep or more narrow or—

Ms. Perkins: It'll be not as – well, it'll be peaked this direction, looking at the front of the house and it will match the rest of the structure. They're going to tie in into the house, take off that overhang—

Mr. Haire: Right.

Ms. Perkins: --and tie into the house.

Mr. Haire: And what will the material on that – the eave be? Will it be siding to match across the front of the porch where it peaks?

Ms. Perkins: No. You'll see the siding, the house, the way it is now and the porch will have a railing and it'll just be the roof with nothing on the sides. Did I answer your question? I'm sorry—

Mr. Haire: In the area that's a triangle that you'll have where the roof comes out on the eave, what will be in that triangle?

Ms. Perkins: It'll be siding.

Mr. Haire: Siding?

Ms. Perkins: Uh-huh.

Mr. Haire: Okay.

Mr. Brusk: Anyone have any questions? (No response.) Anybody out in the audience have any questions? (No response.) With that—

Mr. Haire: I just wanted to make note that this neighborhood was designed with a 25-foot setback, so that's the — if you look at the plats for this subdivision, it's 25 feet so—

Mr. Brusk: Yeah.

Mr. Haire: --it's not really encroaching more than most.

Mr. Brusk: Excellent point.

Mr. Haire: Are you going to do any additional landscaping around the porch?

Ms. Perkins: Oh, yes. I'm a landscaper. I do a lot of work in my yard, so—

Mr. Haire: You'll probably lose some of the shrubs and things there. I just wondered if those will be replaced.

Ms. Perkins: Going to lose that one on the left, the tall one and then several of those in the front, so I'll just plant in front of the porch then.

Mr. Haire: Great.

Mr. Brusk: Great. I'll entertain a motion then.

Mr. Stoffel: Yeah, I'll make a motion that we approve Item C2, variance 68-ZV.

Mr. Feeney: I'll second.

Mr. Brusk: All right.

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

Mr. Brusk: Thank you. Good luck with that.

Ms. Perkins: Thank you.

3. SPECIAL EXCEPTION APPLICATION, 7369 EAST MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING, COMMUNITY COMMERCE (CC); PRESENT OWNER'S NAME, COTNER PROPERTY MANAGEMENT LLC;

REQUESTING A SPECIAL EXCEPTION FOR SEMI-PUBLIC USE FOR A PLACE OF WORSHIP. CONTACT: LINDA REITER, VINEYARD CHURCH OF REYNOLDSBURG (39-SE).

Mr. Brusk: Okay. Would you please give your name and address and we will get a brief description and then we'll--

Mr. Richard Reiter: Okay. My name is Richard Reiter.

Mrs. Linda Reiter: I'm Linda Reiter.

Mr. Brusk: Thank you.

Mr. Hansen: All right. Here's the site plan of the proposed chapel area that they're going to be utilizing. I have some additional information that I didn't have from the staff report. That area of the chapel is 1,200 square feet and they're utilizing the kid room which is adjacent to it which is 180 square feet. Total occupancy of the chapel is 150 people and that was information that the applicant provided us. Technically, they would need 37 off-street spaces if we were going to use the parking ratio of one space for every four seats. And then they have 56 spaces that are available and not the 36 that I indicated in the staff report. There were additional spaces that I didn't realize that were accessible. But the Vineyard Church is proposing Sunday morning service here from 10:00 A.M. to 12:00 noon and this type of use is pretty comparable to the existing use that is there now and staff doesn't see any issues with that proposed use.

Mr. Brusk: Is there any conflict with any funerals? Would there be potentially? And if so, how would you resolve that?

Mrs. Reiter: We're flexible to make other arrangements.

Mr. Brusk: Okay. And I assume that the Cotner Funeral Home people are acceptable to this?

Mrs. Reiter: Yeah, they—

Mr. Reiter: Correct.

Mrs. Reiter: Yes.

Mr. Brusk: I see a nod out there so I assumed that, so that's verified. Okay, are there any other questions?

Mr. Haire: Will you still be holding services at the other location then as well?

Mrs. Reiter: Saturday nights.

Mr. Haire: Okay. So Saturday you'll still be using the other facility. And that other facility is at Jackson and Main so it's just--

Mr. Reiter: Yes, that's right.

Mr. Haire: --down the street.

Mr. Brusk: I see no problems with it from my standpoint and, therefore, I'm going to have a chance to make a motion. Are there any other comments before I do so? (No response.) Got to get my name on the record sometime. This is Item C3. I move that we accept the -- approve the Special Exception application on 39-SE. Do I hear a second?

Mr. Rettke: Second.

(Mr. Hansen called the roll. Mr. Haire voted "Yes, I believe it meets all the requirements of 1145 -- Chapter 1145." Mr. Feeney voted "yes." Mr. Stoffel voted "yes." Mr. Rettke voted "yes." Chairman Brusk voted "yes.")

Mr. Brusk: Thank you very much.

D. OTHER BUSINESS

Mr. Brusk: Is there any Other Business to come before today's meeting?

Mr. Hansen: Yes, Chairman, I've got kind of a brief feeler about a proposed setback variance for a single family house in the Crystal Lake subdivision. It is the last lot in the subdivision and the architect/owner has a potential sale on this lot and he is wondering if there would be potentially a 5-foot setback variance that could be granted. If you look at the lot layout--

Mr. Haire: There's copies there for everyone, I think.

Mr. Hansen: You can see there's a significant easement on the rear part of the lot which is for a power line that transects the lot and that's part of the reason for requesting the variance. Another reason, it's a single story, kind of a master suite layout for the house and so it has a larger footprint than typical. And another reason is that the lot slopes to the back and in order to best accommodate the house, a 5-foot variance would be requested.

Mr. Brusk: Now, where would the 5-foot variance be?

Mr. Hansen: It's a front yard setback variance.

Mr. Haire: Right. This lot's in Crystal Lake subdivision on Fall River Drive. It's the last lot. There's 51 lots in there and this is the last lot in the whole subdivision. It's

been vacant for seven years. He hasn't built a house in there in seven years and I know the neighbors would enjoy a home there instead of the weeds growing up. And he's come in and got a sign for "No Dumping" and put it out there because people were dumping yard debris and all that in the lot, so it's been – we've had issues with the lot, code issues in the past. So, from the City's perspective, I think we'd like to see it developed. And he just came in today and before he invested any money in drawing up plans and really putting it together and getting a proposal together for these folks, he wanted to at least get an idea of whether we'd entertain a variance on there.

Mr. Brusk: Where's the variance going to be?

Mr. Haire: In the front yard.

Mr. Brusk: Oh, the front yard.

Mr. Haire: Right. So the garage there in the front sticks out about 5 feet so it'd be a 25-foot setback rather than 30. They have those overhead power lines, which you can build a deck or you can build a patio in the easement. You just can't build anything with a permanent foundation.

Mr. Feeney: This is 5-foot easement going across. Is that going across the front or is that just a box that—

Mr. Haire: It's mislabeled. There is no – there's a 20-foot easement across the front for sanitary/sewer but there's no – there's nothing else. If you look at the little arrows and where it says "5-foot easement" it's just those little boxes on each side. It's not across the whole front.

Mr. Hansen: Yeah. That tripped us up earlier.

Mr. Brusk: This is because of where it's at, I assume that it's like on a cul-de-sac as it appears to be?

Mr. Haire: No.

Mr. Hansen: No, it's not.

Mr. Brusk: It's just a street where it curves like that?

Mr. Haire: Right. It's just--

Mr. Brusk: You've got that triangular—

Mr. Haire: It's kind of a curve all the way around. Fall River Drive does kind of a loop like half moon kind of, around.

Mr. Brusk: And it won't – well, obviously, you can't whip down the street and say, "That one's sticking out."

Mr. Haire: You wouldn't be able to tell—

Mr. Brusk: You wouldn't even be able to—

Mr. Haire: --because of the corner and there's actually a lot of elevation there, too. It goes down a hill at the same time and it's a pretty scenic lot with the exception of those power lines overhead.

Mr. Brusk: Do they buzz?

Mr. Haire: I imagine they do. I just told them I'd bring it bring it before the Board tonight.

Mr. Feeney: This is going to be a two story?

Mr. Haire: It's a one story.

Mr. Hansen: One story.

Mr. Brusk: Okay.

Mr. Feeney: Yes, proposed two story.

Mr. Brusk: On here it says two story.

Mr. Haire: It should be a one story. That's why the footprint's a little larger. They're empty-nesters, folks that are just retired.

Mr. Brusk: I personally don't see a problem with it.

Mr. Feeney: No.

Mr. Brusk: Especially since it's special, so I think it's the view of the Board it seems that we would be very – we would have an – that's not the word I want. We'd be responsive to looking at it and likely approve it unless we find something that's really weird when they bring it in.

Mr. Feeney: --comes in – something special.

Mr. Haire: They have – you said they got eight variances when they built the subdivision on different homes for different setbacks, buse of the power lines and the typography and things like that so—

Mr. Brusk: Yeah. I think we'd be likely to accept it. So that being said, is there any other New Business?

Mr. Feeney: You'll pass that information, Matt?

Mr. Hansen: Yes, I will. I work with the applicant.

Mr. Brusk: Then I move – not, I don't move. I declare we are adjourned.

E. ADJOURNMENT

The meeting was adjourned at 6:50 o'clock, p.m.

Norman Brusk, Chair

Matthew Hansen, Planning Administrator

This document was transcribed by:
Area East Secretarial Service
7668 Slate Ridge Blvd.
Reynoldsburg OH 43068