

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
MAY 17, 2012
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

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

2. APPROVAL OF MINUTES OF APRIL 19, 2012

Vice-Chairman Stoffel: Do I have an approval for the minutes of April 19th?
(No response.) Any corrections?

Mr. Hansen: I have no corrections.

Mr. Stoffel: None being said, we'll approve the minutes.

3. APPROVAL OF AGENDA

Mr. Stoffel: Are there any additions or corrections to the agenda?

Mr. Hansen: There are no corrections or additions.

Mr. Stoffel: Okay, we'll approve the minutes.

4. SWEARING IN OF SPEAKERS

(Mr. Stoffel administers the oath.)

5. PUBLIC COMMENT

Mr. Stoffel: Is there any Public Comment out there? (No response.)

A. UNFINISHED BUSINESS

Mr. Stoffel: Any Unfinished Business? (No response.) None being said, we'll move on to New Business.

B. NEW BUSINESS

Mr. Stoffel: Would you give us a description of Item B1?

1. VARIANCE APPLICATION, 6355 RIDER ROAD, REYNOLDSBURG, OHIO:
REQUESTING A VARIANCE FROM ZONING CODE SECTION 1171.06(a)(3)(c) TO
REDUCE THE SETBACK OF AN ACCESSORY STRUCTURE FROM A MINIMUM OF
15' TO 12'-6". CONTACT: JANETTE PEKULA (100-ZV).

Mr. Stoffel: Is someone here to speak on this topic? Can you come forward, please? Could you state your name and address, please?

Ms. Janette Pekula: Janette Pekula, 6355 Rider Road.

Mr. Stoffel: Does anyone have any comment or questions?

Mr. Domini: I added an amendment to the staff report.

Mr. Stoffel: Okay.

Mr. Domini: I made an error in the – I made a statement about the side yard setback and that was my error in the staff report. Three (3) feet is the minimum for an accessory structure, not 8, though that's not actually the problem. Guess I'm a little rusty from being out of the role for awhile.

Ms. Pekula: I also have a couple of additional documents I pulled, if I can bring those up.

Mr. Domini: Sure.

Ms. Pekula: I just took a couple of photos (speaking off mic) – so you can see what the area looks like and I also did find my original survey documents for my mortgage, just so you can see that they sort of all match up and that the items in your detailed packet are correct.

Mr. Brusk: I wish to thank you for doing this detail that you have. It's pretty unusual.

Ms. Pekula: For 2½ feet?

Mr. Brusk: (inaudible)

Ms. Pekula: Yeah, but that's okay. I'm an executive assistant. I'm very detail-oriented, but I wanted to provide you with all of the information that you may need.

Mr. Brusk: I assume that's your little black car that's out there in front?

Ms. Pekula: Yes.

Mr. Domini: Are you going to have to remove some of the vegetation to get that carport in there?

Ms. Pekula: We did some trimming. We might have to – I was looking at that. We might have to remove just a little bit of that tree but it's really only going to be – the carport will only sit – it's 16 feet wide, the driveway is 15, so it's only going to sit 6 inches on each side of the driveway so it's within that 3 feet from my property line on the one side and it's just the 2½ feet that I need on the other side. It meets all the other zoning requirements. It meets all the other code requirements. It's just that. And it's only going to be 9 feet in height, so it's not like it's a very tall structure, totally open. It's not even going to have any sides on it. It's not going to be obstructive, 14 gauge steel for the legs and construction.

Mr. Stoffel: Does anyone else have any other questions?

Mr. Brusk: No. It seems pretty self—

Mr. Feeney: Seems straightforward.

Mr. Stoffel: Would someone like to make a motion?

Mr. Brusk: I would like to move that we accept Item 100-CV as written.

Mr. Feeney: I'll second.

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

Mr. Stoffel: Good luck.

Ms. Pekula: Great. And my next step is get the building permit then? I come back? Is that what I do? Thank you very much.

2. VARIANCE APPLICATION, 6424 TAMAR COURT, REYNOLDSBURG, OHIO: REQUESTING A VARIANCE FROM ZONING CODE SECTION 1175.03 TO REDUCE THE MINIMUM REAR YARD SETBACK FROM 30' TO 15'. CONTACT: EDWIN R. CLAY (101-ZV).

Mr. Stoffel: Could you state your full name and address, please?

Mr. Edwin Clay: Yes. My name is Edwin Clay and the address is 6424 Tamar Court.

Mr. Stoffel: Would you like to briefly describe what your plan is here?

Mr. Clay: The plan is to add a three season patio room to the rear of the house. Presently we do have a stone patio there and we're going really no deeper than where the patio currently exists. We're just going wider with this structure.

Mr. Stoffel: I apologize, Aaron. I should've asked if you could give us the description first, please.

Mr. Domini: I thought he did a nice job with the application, again. We don't always get such complete applications. Thank you for that. The only thing to point out here is that, from my assessment, the house is already non-conforming, so expanding a non-conforming use. That said, I think it's a nice addition. There is some landscaping in the back which does some screening of the structure. But I didn't necessarily have any objection to the variance. They can't expand on the house in the condition it's in, the way it's sited and we've seen stuff like this before, so I really didn't have much to add to it. You can see the screening from this picture in the back, some decent landscaping back there.

Mr. Brusk: Is that picture you have set here basically what it's going to look like?

Mr. Clay: Basically that's the way it will be, yes.

Mr. Brusk: I assume that it'll match pretty much color-wise with—

Mr. Clay: Yeah. We're having one of the companies that the City recommended, Champion, to do the work.

Mr. Brusk: Good luck on that. I don't have any problems with it myself.

Mr. Stoffel: Any other comments?

Mr. Feeney: No. I think it's pretty straightforward.

Mr. Hansen: No. I think the lot is a little odd with the bulb shape there so it pushed the house farther back.

Mr. Brusk: That's pretty typical of that neighborhood, too.

Mr. Hansen: Yeah.

Mr. Stoffel: Well, if there's no other comment then, could I get a motion?

Mr. Hansen: I move for approval.

Mr. Stoffel: Can I get a second?

Mr. Feeney: I'll second.

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

Mr. Stoffel: Thank you very much.

Mr. Clay: Thank you.

B. NEW BUSINESS

3. SPECIAL EXCEPTION USE PERMIT APPLICATION, 1361 BRICE ROAD, REYNOLDSBURG, OHIO: PRESENT ZONING, CC; PRESENT OWNER'S NAME: CLARK SMITH; REQUESTING A SPECIAL EXCEPTION TRANSFER FOR AN EATING AND DRINKING ESTABLISHMENT. CONTACT: CLARK SMITH (62-SE).

Mr. Domini: I'll just note for the Board, I believe the property in question had already been an eating and drinking establishment at one time. Mr. Hansen, wasn't this the Indian Cuisine?

Mr. Hansen: Yeah. Most recently it was Temptations Indian.

Mr. Domini: So it's kind of right in the middle here. It's either this unit or this unit I believe. I didn't have—

Mr. Hansen: Next to the other one.

Mr. Domini: Next to this one over here?

Mr. Hansen: That one.

Mr. Domini: I didn't have any problems with this. Parking is adequate, access is adequate. Any signage would have to come before the City so I don't have any problems with this application.

Mr. Hansen: Signage has already been approved.

Mr. Domini: Signage already been approved.

Mr. Brusk: Which side of the street is this one on, on Brice?

Mr. Stoffel: The west.

Mr. Brusk: The west side, okay.

Mr. Feeney: Right across from K-Mart.

Mr. Brusk: Yeah.

Mr. Feeney: So this is an existing eating establishment already and you're just going to head over and change their menu?

Mr. Smith: Yes. It's about just keeping the same format and just changing the menu.

Mr. Stoffel: I'm sorry, did I ask for your name and address yet? If I didn't I apologize. Can you give that to us, please?

Mr. Clark Smith: Clark Smith, 1361 Brice Road.

Mr. Brusk: There are childcare centers right in that area.

Mr. Hansen: There is one at the end of – it would be next door.

Mr. Brusk: Is there any problem with liquor establishments being brought to childcare? I just – I'm totally confused on that.

Mr. Hansen: No, there's nothing in the City regulations that would prevent it from what I know of and if I understand correctly, are you serving – they're not serving alcohol or liquor.

Mr. Brusk: Oh, you don't have a liquor license?

Mr. Smith: No, I'm not serving alcohol at all.

Mr. Brusk: Oh, okay. Then that—

Mr. Smith: That's the only thing that I didn't put in there. I'm not serving alcohol.

Mr. Brusk: Okay. That being said, I can appreciate it. What kind of cuisine are you going to have?

Mr. Smith: We're doing what you call a multi-cultural type food. We're doing cajun, soul and Caribbean style foods.

Mr. Brusk: We could use that.

Mr. Smith: Beg your pardon.

Mr. Brusk: We could use that.

Mr. Domini: We typically – we don't look at the interior of the space but, just out of curiosity, are you doing tentative improvements inside for additional tables seating and that kind of thing?

Mr. Smith: You know what? Everything was pretty adequate when we went in. We didn't see any reason for changes to the setup, the kitchen or the dining room. As a matter of fact, I'm meeting with the realtor. We're discussing me just buying everything as is and the only thing we're really going to be changing is we're going to put a front counter in when you walk in, like when people walk up and want to order food or whatever but other than that, it maybe the color scheme on the inside, but other than that, there's no structural lift or anything.

Mr. Hansen: Is there an interior layout?

Mr. Domini: Um-um.

Mr. Hansen: Okay.

Mr. Hansen: I don't have any other questions. I think this meets all the standards for transfer.

Mr. Feeney: Any questions?

Mr. Stoffel: Someone can make a motion?

Mr. Brusk: I move that we accept Item B3 (62-SE).

Mr. Feeney: I'll second that one also.

Mr. Brusk: You got all the seconds today.

Mr. Feeney: I'm in second

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

Mr. Brusk: Thank you very much.

4. SPECIAL EXCEPTION USE PERMIT APPLICATION, 1304 BRICE ROAD, REYNOLDSBURG, OHIO: PRESENT ZONING, CC-126-72; PRESENT OWNER'S NAME, 1286-1314 BRICE ROAD CO., LTD; REQUESTING A SPECIAL EXCEPTION

FOR AN EATING AND DRINKING ESTABLISHMENT. CONTACT: GENE WHITAKER (63-SE).

Mr. Stoffel: Could you state your name and address, please?

Ms. Melva Williams-Argaw: Melva C. Williams-Argaw, 5935 Rock Hill Road, Columbus OH 43213 and I'm here representing the owner, Geneo Whitaker who's sitting in the audience.

Mr. Feeney: So you saw your competition across the street?

Mr. Domini: You guys did a nice job on your application.

Mr. Brusk: Yeah, very nice.

Mr. Domini: Makes our job pretty easy.

Ms. Williams-Argaw: Thank you.

Mr. Stoffel: And this will be southern cuisine?

Ms. Williams-Argaw: Yes.

Mr. Brusk: Soul food.

Mr. Stoffel: I'll be beboppin' both sides of Brice Road there.

Ms. Williams-Argaw: Yes. No liquor being served, no liquor license as well at this location.

Mr. Domini: And it looked like your deliveries were handled through distributors driving in the back.

Mr. Brusk: Yeah, that's pretty adequate on that side. It's not so adequate on the other side of the street.

Mr. Hansen: They have a big parking lot in the back.

Mr. Brusk: The other – while I was back there I was very appalled. That's on something entirely different.

Mr. Domini: Is that tractor-trailer still back there?

Mr. Brusk: Yes. It's about 50 years old. They did not follow through with the children's play area with the school. That looks dangerous as all get-out.

Mr. Hansen: The adjacent one, on the adjacent property?

Mr. Brusk: The adjacent property looks great. The one – you know where the strip is? Maybe we should take this up later.

Mr. Feeney: Yeah, that's a good idea.

Mr. Brusk: Yeah. Look I'll catch you after.

Mr. Stoffel: It looks pretty straightforward to me, too, so any other comment?

Mr. Brusk: I think Mr. Feeney should approve this—

Mr. Feeney: No, I think we should – I'm going to second at this one, too.

Mr. Stoffel: I'll make a motion that we approve Item B4 Special Exception (63-SE.)

Mr. Feeney: I'll second.

Mr. Brusk: You got a grand slam.

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

Mr. Stoffel: Congratulations. Good luck.

Ms. Williams-Argaw: Thank you.

Mr. Stoffel: Looking forward to that.

C. OTHER BUSINESS

Mr. Brusk: We approved the child care center-- I can't think of the name of it—

Mr. Hansen: It's Romain.

Mr. Brusk: Yeah, and they have another one on the other side of the driveway and that one's got a beautiful play area and everything down in the gulley. Well, this one also has, in the back, they do have a play area. It looks like a hamster's cage type of thing. It's not protected.

Mr. Domini: Which unit is it in?

Mr. Feeney: Right next to the K-Mart one.

Mr. Brusk: No, no. It's on the other side of K-Mart – I mean on the other side of the street.

Mr. Hansen: It's next to the – it's in between Shooters and the restaurant that we just approved.

Mr. Brusk: Yeah, yeah. The problem is the back end of it, you can see there's that abandoned trailer is sitting on the bottom picture and right about here they've got an area that they fenced in for the kids to play in and they've got like cedar chips down on the ground and it looks terrible. But there's no protection if there were a vehicle to cut a corner, just not watching. And the other thing that's really bad, in the back there's trash containers that look like they haven't been picked up in months. They are overflowing with garbage. I don't know if that's because they were emptying out the building that's going in now or if there's some other reason why it is.

Mr. Hansen: I'm not sure.

Mr. Brusk: But we need to have the code enforcement people look at that because it's not in – and that trailer's got to go. There's no question.

Mr. Domini: That's been sitting there since—

Mr. Brusk: Yeah, but it can't stay. That thing's going to fall over.

Mr. Domini: I forget what the story—

Mr. Hansen: It's a licensed – they maintain a license on the trailer.

Mr. Brusk: But they're not maintaining its stability. It's leaning at this point. I don't know what's inside, so I don't know where the center of gravity is.

Mr. Domini: There's a history with that property owner, too. I don't recall exactly what it was, but—

Mr. Brusk: Why don't we get somebody with a big truck and just hook up to the back of that thing and move it somewhere?

Mr. Feeney: Well, about the daycare, didn't we talk about that?

Mr. Hansen: Yeah, I do remember talking about a play area in the back of the one in the strip center. If I recall, she said that they were just going to walk the kids next door.

Mr. Brusk: Well, they said that and then they did. And that's not so safe if there's traffic back there. When we were there there wasn't anything back there, but what you've got right there is Shooters, so I never trust anything that has a bar around

it, because those people, some of them get a little bit over imbibed and drive to places where they shouldn't ought to. What's all that parking back there? Is that for the repair shop next to trailer – across from the trailer there? That wasn't there when I was there.

Mr. Domini: I don't know what that is for.

Mr. Brusk: Wasn't there a repair shop up at the top of that-- On the bottom picture, do you see the trailer? Then to the left of that there's a road that leads up-- Isn't that the guy we did approval for putting some parking around there on the side of his building, or not?

Mr. Domini: At one time I thought it was supposed to be gravel parking, but I can't remember the full story. There was also an issue with, I think, a water line.

Mr. Hansen: I don't think it has water – I don't think it has services back there.

Mr. Brusk: But the point was, though, that that trailer was supposed to be moved at that time. It wasn't going to stay there and it's been there. We've got to do something about that.

Mr. Stoffel: Well, if we can go back in our minutes and—

Mr. Brusk: If we had a staff guy who would stay instead of running off on us we would be able to do that?

Mr. Domini: Are you talking to me or him, or both of us?

Mr. Stoffel: Are you leaving too?

Mr. Domini: I already left.

Mr. Brusk: But are you going to be still part-time here? Don't you know? He's not.

Mr. Hansen: The plan is that Aaron will be consulting for administrative functions for the time being.

Mr. Feeney: We should adjourn the meeting.

Mr. Stoffel: Yeah, let me go ahead. Is there any other business? (None)

D. ADJOURNMENT

Meeting was adjourned at 7:00 p.m.

David Stoffel, Acting Vice-Chairman

Aaron Domini, Acting Planning Admin.

Meeting transcribed by:
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