



## MINUTES

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, APRIL 18, 2019 6:30 PM

PLACE: COUNCIL CHAMBERS  
7232 E. MAIN ST, REYNOLDSBURG, OH 43068

#### A. CALL TO ORDER

PRESENT: Linder, Donovan, Darling  
ABSENT: Rettke, Armstead

#### 2. APPROVAL OF MINUTES

Minutes Approved

1. Board of Zoning and Building Appeals – Regular Meeting – March 21, 2019

#### 3. APPROVAL OF AGENDA

#### 4. SWEARING IN OF SPEAKERS

**Mr. Donovan** Now I've already had our non speakers. They don't plan on talking all and they signed in so we're good there. But seeing as you're not going to talk you don't have to be sworn in. There are there any public comments? Hearing none. Would you the read the first item on the agenda? Variance 2019 dash 5095.

#### B. PUBLIC COMMENT

None

#### C. UNFINISHED BUSINESS

**Mr. Donovan** On this meeting to order at 630. Are there any additions or changes to the previous meeting minutes? Bearing none, minutes stand approved. Are there any additions or changes to our agenda?

**Ms. Wheeler** Yes. Yes we do have an addition. We need to do the reappointment for Pastor Linder this evening.

**Mr. Donovan** Will that take a vote from the board?

**Ms. Wheeler** Yes and if we can do that before the first order of business.

**Mr. Donovan** Then I'd make a motion that we extend Pastor Linder's appointment.

**Ms. Darling** I'll second that.

**Mr. Bowsher** All in favor. All opposed. Thank you. The ayes have it. We will also be passing this on a city council will be doing the official appointment again and it should

just be pretty cut and dry. That will be on Monday. So the next time you'll have a fresh two years.

#### D. NEW BUSINESS

1. 738 Tricolor Drive; Application #2019-5095; Applicant Frank McDermott; Residential Zoning Variance - Fence

**Mr. Donovan** Now I've already had our non-speakers. They don't plan on talking all and they signed in so we're good there. But seeing as you're not going to talk you don't have to be sworn in. There are there any public comments? Hearing none. Would you the read the first item on the agenda? Variance 2019 dash 5095.

**Ms. Wheeler** Yes. Thank you Mr. Chairman. The first case is for 738 tri colored drive. The applicant is requesting Board of Zoning Appeals approval for a zoning variance to modify their existing six foot privacy fence to an 8 foot wood privacy fence. The zoning code does not allow anything over a six foot privacy fence in a residential district, so they are requesting a variance to be able to do that.

**Mr. Donovan** I make a motion that we approve variance 2019 dash 5095.

**Ms. Darling** I'm sorry did you guys have a staff recommendation on it?

**Ms. Wheeler** We don't, really just two way the standards for variance in the code. Which is really just the impact on neighboring properties. If there's any particular circumstance unique to the property in question. We find none. They have stated in their application the reasoning for wanting to modify the existing fence, but otherwise we leave it up to the board to decide.

**Mr. Linder** I guess I'll ask the question because I like keep it interesting. Had you considered an actual fence immediately around the pool? Some sort of... Would you gain any privacy that way?

**Mr. McDermott** No because it would have to be an eight foot fence around the pool directly and I would cut off all of our existing property around.

**Mr. Linder** So even a shorter fence around the pool.

**Mr. McDermott** Yeah well the purpose of the eight foot fence is to increase the privacy because the way that the pool is designed it's at the highest point of our yard. And when you're standing on it you're at least two feet above the top of the privacy fence where the existing fence right now. So it wouldn't be, it would cost too much to put a fence around the pool like that. We think it would be.

**Mr. Linder** You wouldn't get protection. Is the point here?

**Mr. McDermott** Yeah.

**Mr. Linder** And then, not knowing their house have any windows on that side of their house that face your pool where they would still have visual access?

**Mr. McDermott** I mean it's more about the deck when they're out back on their on their decks because the people on either side of us both have a deck and then the people behind us all three of the houses that overlook our yards. They all have a deck also. So it's more of them standing out there on their deck that we can see them staring into our yard. You know if they're in their house I we can't really.

**Ms. Darling** Is their deck higher than your six foot fence?

**Mr. McDermott** Their deck is whatever like 32 inches above sea off the ground. So it's not higher. It's not like a two story deck or anything it's just a single story deck.

**Ms. Darling** They just come out there and stare for no reason.

**Mr. McDermott** Yeah. I mean even when you're driving through the neighborhood they're just they just like to stand there and stare at you don't say anything just I don't know. Just watch what you're doing.

**Mr. Bowsher** Which house is it? Is the one directly north?

**Mr. McDermott** The houses right behind us. The three houses directly behind us. And then there is the house to the left and to the right of us.

**Mr. Linder** But the specific deck which one is the one that's giving you; that is the one right behind you then?

**Mr. McDermott** The one right behind us. They have a raised concrete slab and then the houses that flank either side of those they have two decks. They have a deck on their house.

**Mr. Donovan** State your name for the record so we know.

**Mr. McDermott** Frank McDermott.

**Mr. Bowsher** You think eight feet is going to be tall enough?

**Mr. McDermott** Yeah we think he would be taller enough.

**Mr. Donovan** Well we won't be able go any higher than that, that's for sure.

**Mr. McDermott** Yeah absolutely. Any higher would be like the border wall.

**Ms. Darling** Do you plan on adding to the existing fence that you have? Or take that out and putting a brand new fence up?

**Mr. McDermott** we'd like to take that out and put a new. We e found 8 foot fence boards that...

**Ms. Darling** Will it look somewhat like your fence now?

**Mr. McDermott** Yes but it won't have that scallop. It'll just be a straight line across.

**Mr. Bowsher** So not one of the dog ears?

**Mr. McDermott** I'll just I think it does have the dog ears. But the current fence from post to post it comes down like a smiley face. So in the middle of that I was supposed to be six foot but really it's four and a half feet maybe. Four or five feet.

**Mr. Bowsher** got you. Any issues from the neighbors putting this up or do you think you guys have shared fences.

**Mr. McDermott** No. Nobody had said anything to us about it. The sign has been in the yard for about a week now. And everybody that walks by. I mean they read it. But they don't have anything to say and I'm out in the garage pretty often.

**Mr. Bowsher** When we require special exemption or variance we put a sign out that says it is a public meeting being held about the property in question.

**Ms. Darling** Oh Ok.

**Mr. McDermott** Emily said that it was in a newspaper to.

**Ms. Wheeler** Correct it was public notice in the newspaper.

**Mr. Donovan** So you covered all bases that way.

**Mr. Bowsher** Yes, we make sure. Obviously nobody is here to contest.

**Mr. McDermott** Yeah.

**Mr. Donovan** So if we don't have anyone contesting. There has been a motion made, anybody?

**Mr. Linder** Well I'll second.

**Mr. Bowsher** First and Second.

**Ms. Wheeler** Mr. Armstead not here. Miss Darling. Yes. Pastor Linder. Yes. Donovan. Yes.

**Mr. Bowsher** Three votes. The variance is approved. Thank you. Thank you. Appreciate it. Good luck. Thank you. Thank you.

E. OTHER BUSINESS

None

F. ADJOURNMENT

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Chairman

\_\_\_\_\_  
Planning and Zoning Administrator