

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
FEBRUARY 20, 2014
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present: Mr. David Stoffel
Ms. Libby Wallace
Mr. Rick Donovan
Mr. Aaron Enfinger

Members Absent: Mr. Anthony Rettke
Ms. Bonnie Armintrout

Others Present: Megan Moeller

2. APPROVAL OF MINUTES OF JANUARY 16, 2014

Chairman Stoffel: Do we have any additions or corrections to last—

Ms. Moeller: Oh, you know what? One second. We missed one person. I keep forgetting. You have not been added yet, but Mr. Enfinger.

Mr. Enfinger: Here.

Mr. Stoffel: My apologies. Now we're good.

Ms. Moeller: We're good now.

Mr. Stoffel: The minutes. Any additions or corrections?

Ms. Moeller: Yes, we do. We added on—

(someone speaking off mic)

Ms. Moeller: None for staff, sorry.

Mr. Stoffel: What was that, Megan? I'm sorry, I didn't hear you.

Ms. Moeller: None for staff.

Mr. Stoffel: Oh, none for staff.

Ms. Moeller: No.

3. APPROVAL OF AGENDA

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

Ms. Moeller: There is. We added on a second piece to the agenda about pre-manufactured homes and where they can be placed, and that's going to be under Other Business.

Mr. Stoffel: Okay.

4. SWEARING IN OF SPEAKERS

Mr. Stoffel: All right. If you'll be speaking tonight, if you would, sign the paper before you leave and if you would please stand I'd like to swear you in as a speaker.

(Mr. Stoffel administers the oath.)

5. PUBLIC COMMENT

Mr. Stoffel: Is there any public comment? (No response.)

A. UNFINISHED BUSINESS

Mr. Stoffel: Any Unfinished Business?

Ms. Moeller: No.

Mr. Stoffel: None. We'll go to New Business, Item B1. Megan, can you tell us about that?

B. NEW BUSINESS

1. VARIANCE APPLICATION, 8395 REYNOLDSWOOD DR., REYNOLDSBURG, OHIO; PRESENT ZONING, R-3; OWNER'S NAME, DAVID TORRY; REQUESTING A VARIANCE FROM SECTION 1175.03 TO REDUCE THE REQUIRED REAR YARD SETBACK FROM THIRTY (30) FEET TO A REQUESTED TWENTY-FIVE (25) FEET. CONTACT: DARYL ALLEN/DECK BUILDERS UNLIMITED. (#163707).

Ms. Moeller: This is for New Business. This is for the address 8395 Reynoldswood Drive. It's for a variance application. The present zoning for the area is R3 and the contact is Daryl Allen and this is Application #163707. The proposal is that

applicant is requesting a variance from Section 1175.03 to reduce the required rear yard setback from 30 feet to a requested 25 feet. The existing site in the context; the dimensions of the lot are approximately 72 feet by 120 feet. The existing footprint of the dwelling is approximately 1670 square feet. Drawings indicate a 33-foot easement existing at the south end of the property but we contacted – staff has been in contact with the Reynoldsburg Storm Water Department who has no records indicating a drainage easement, so there really isn't any comment on that. But let's see, there's Taylor Road to the side and, I believe, Broad is just north of there. And then you can see on the south end, this is where he wants to put the three-season room. These are a couple of the drawings that were submitted. So that's from the south face of the room. There was some concern about which side this door was going to be placed on. If it was placed on the right side it wouldn't be an issue, but if it was on the left side we would be having some problems with the side yard setback. It would be too far over and you'd have to have a variance for that, but you can talk about that afterwards.

Then we also had some issues with the trees, too. We don't really know where they're placed on the lot, but if there is going to be anything put there we don't know if they're going to need any tree replacements or anything like that. So staff review and recommendations. The proposed three-season room is approximately 14 feet above grade. The finishing is proposed as a cedar fascia and soffit frame, cedar lap siding, shingles to match the existing house, and wire screening. The proposed addition will be attached to the south face of the dwelling on the western side. The dimensions of the three-season room measure approximately 16 feet by 12 feet. The current setback would only allow an extension of 7 feet which is less than typical dimensions for a three-season room. Staff finds that the dimensions of the three-season room, using the current required rear setback would not produce an adequate space, and finds that the additional 5 feet is a reasonable request. Staff does have concerns regarding the existing trees at the south end of the lot. Staff would like to verify if tree placement outlined in Section 1180.06 is necessary. Staff would like the Board to consider whether the applicant has met the test for hardship or practical difficulty outlined in Section 1147.05 of the code. If the Board finds that full enforcement of Section 1175.03 is causing an unnecessary hardship on the applicant, staff recommends the Board approve the variance as submitted.

Mr. Stoffel: Thank you. Would you like to stand and speak?

(speaking off mic)

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

Mr. Daryl Allen: Daryl Allen, 2160 Leo Lane, Reynoldsburg. Basically he would like to install a three-seasons room and 7 feet is just not large enough, so pretty much we were just shooting to get the 5-foot variance to install the room. The porch – there's nothing shoddy about it. We do excellent work and it will blend in with the house. It's again cedar. He's going to be staining it the color to match the existing trim. Shingles

to match the existing roof, so it'll be installed professionally. The door is going to be on the right hand side as well where _____ protrude into the side yard.

(inaudible)

Mr. Allen: Yes. We're just going to be installing brick paver patio in that area on the right hand side.

Mr. : How many steps?

Mr. Allen: I think it's 5 feet off the ground so probably seven steps it's going to take – the landing and then down and then the pavers are going to have to be built up with a retaining wall about 2 feet or so. And then there are going to be two steps off the brick pavers closer to the house, so we're looking at about four steps coming down from the sunroom to the pavers and another two steps down to grade.

Ms. Wallace: So you were saying that the steps are coming off the side that's facing the fenced yard next door?

Mr. Allen: The opposite side. If you're facing the back of the house it would be—

Ms. Wallace: Towards the chimney?

Mr. Allen: Yes.

Ms. Wallace: Okay. So the steps are coming down behind the owner's house?

Mr. Allen: Yes.

Ms. Wallace: Okay.

Mr. Allen: Yeah.

Mr. Robbins: Just a quick question. To your knowledge, would the addition of this three-season room require the removal of any trees on that side of the lot?

Mr. Allen: I looked out there and they're actually to the side.

Mr. Robbins: Okay.

Mr. Allen: Yeah. So it won't protrude into that line of trees.

Mr. Stoffel: How far clear – you may have said, Megan – is the construction from the drainage easement? How many feet?

Ms. Moeller: It's a 30-foot easement.

Mr. Stoffel: Centered on the lot or—

Mr. Robbins: We've been in contact with our storm water fellows with the City and the 33-foot easement was indicated on the drawings, however they didn't have a record of the City holding the easement on that property. Not to say it doesn't exist, but the search that they did didn't turn up anything. So I don't know if that easement is something that you found on the survey that was originally done or—

Mr. Allen: I didn't see it—

Mr. Robbins: We sent our storm water guy out there to inspect the property today and he did take a look and said as long as it's not displacing anything, even if there was a 30-foot easement on the property, he would have no issue with it.

Mr. Allen: Okay.

Mr. Robbins: So the big issue would be anything that would stop the flow of water across the property. And you can see the creek itself is only on the very southeast corner of the lot and it seems to be pretty unlikely that it would cause an issue. I mean, this thing's up on pylons pretty much, so it wouldn't displace anything. Is that correct?

Mr. Allen: No, it wouldn't.

Mr. Enfinger: Are there any plans to put any kind of skirting around the open section?

Mr. Allen: Not at this time.

Mr. Enfinger: Okay.

Mr. Allen: But it was something that we talked about.

Mr. Enfinger: That'd be nice. You know, you never can get any grass to grow there and it kind of sometimes can become storage area for things and so just for consideration for the neighbors, maybe—

Mr. Allen: Right.

Mr. Enfinger: --maybe bring it back up and see if they can—

Mr. Allen: We put down visqueen and gravel to keep grass from growing out but that's definitely something I was trying to—

Mr. Enfinger: Yeah. That would like real nice.

Mr. Allen: Um-um.

Mr. Stoffel: Does anyone have any other questions? (No response.) If not, then I'll make a motion that we approve Item B1, variance application #163707.

Mr. Enfinger: I second.

(Ms. Moeller called the roll. Mr. Stoffel voted "yes." Ms. Wallace voted "yes." Mr. Donovan voted "yes." Mr. Enginger voted "yes.")

Mr. Robbins: Congratulations.

Mr. Allen: I appreciate it. Thank you.

Mr. Robbins: I believe – I can't recall. I think we had the zoning certificate on record for you. If not, that is something that still needs to be submitted--

Mr. Allen: Okay.

Mr. Robbins: --so the zoning certificate can give the final approval that it clears zoning. So once the variance is passed, it's basically changed the law on the property. You need a certificate saying that it's been changed. In addition, I want to make sure that you are aware that this does require building permits and Building Department approval.

Mr. Allen: Right.

Mr. Robbins: It's my catchall at the end of every meeting.

Mr. Allen: Yeah. That's fine. Now how long does it take the zoning process to go through?

Mr. Robbins: The variance applies immediately and once we have the zoning certificate in hand we can get it turned around within a few days.

Mr. Allen: Very good. All right. Appreciate it.

Mr. Stoffel: Thank you.

C. OTHER BUSINESS

Mr. Stoffel: Move on to Other Business.

Mr. Robbins: Yes. I'll introduce this and give a little bit of background on what I'm kind of after from the Board. We have a property on Lancaster Avenue and we have a gentleman and a realtor who's trying to sell it basically. We have a portion of our code that addresses pre-manufactured housing. Now this is not to be confused with trailer houses or mobile homes. This is pre-manufactured, so portions of the house are constructed offsite and then they are brought onto the property usually on a foundation that's existing or a foundation that's been built. So our particular part of the code has stipulations. Like it has to have a minimum one-four sloped roof. It has to be in character with the rest of the area, basically match the existing houses and it has to be built on a foundation.

The property that they're looking at is on Lancaster Avenue and this is just north of the Historic District so I believe it's this vacant lot right here. The gentleman sent-- I want to move this off the screen for a second and I'll finish the explanation. The gentleman has seen over -- and this is the part of the code that I wanted to talk about. And I think what we're going to talk about now is going to be unbinding so I just wanted to get some feedback from the Board on how you interpret this. He sent over something to this effect. So these are shipping containers and he said that the basic form would be something of this nature and that it would be clad like this, so some type of siding or trim that would have a very modern sleek look. My concern is obviously that this might not meet the criteria as set forth within our pre-manufactured home section and I guess wanted clarification from the Board that they would agree with that or if they would disagree and be willing to hear something like this. Part of what's at stake as well is that something like this wouldn't necessarily have to pass through Design Review. So because it's a residential home, residential properties don't go through Design Review and it's out of the Historic District so, again, if it doesn't meet the standards for residential design and manufactured homes, then it's not something that would be allowable in that area.

And I want to go through -- and just for the record I'll just read these off so everybody's on the same page. It says the width of the main body, the home must be at least 20 feet as measured across the narrowest portion. The roof pitch shall be at least 1 to 4. The roof overhang shall be at least 1 foot. The exterior finish materials shall be consistent with those used onsite built housing in the immediate vicinity. Foundation construction materials shall be similar to the foundation of site built housing in the immediate vicinity. The orientation of the home on the site shall be compatible with and similar to the orientation of housing in the vicinity. The home shall be constructed with enclosed parking spaces as required of all single-family dwellings. Again off -- I shouldn't say off the record but let's say non-binding, staff would like some feedback from the Board on whether or not you would interpret this as something that would fall within the allowable realm of this code.

Mr. Stoffel: Well, I guess my first question would be does it meet the minimum width and the 1 to 4?

Mr. Robbins: Again we haven't had solidified plans submitted. This is more of a concept that this gentleman had and I wanted to give him, before he spends any money of any kind in design fees or figuring out if this is something he can do. My guess is that at the narrowest width I feel like that's a little fuzzy part of the code because if you have any bump-outs of any kind – if you had a three-season room that wouldn't meet that portion of code. I think it could be designed as such that it would meet that particular part of it, letter A.

Mr. : I'm thinking this is their enclosed parking means it has to have a garage?

Mr. Robbins: That would be correct.

Mr. : How are they going – I didn't see any garage in that picture.

Mr. Robbins: Yeah. I think it would – if he went ahead with this in some manner of fashion, again it would be to some extent, trying to meet the use criteria such as the enclosed garage. He'd have to add a roof that's 1 to 4. The finished materials, again I think would have to be something that we'd have to take a closer look at to make sure that it matches the surrounding area.

Mr. : There's a lot going on on that street.

Mr. Robbins: Yeah. Again I feel that the intent of this code is to make sure that what is placed there doesn't stand out too far from what is already there and, again I just wanted some opinions from the Board on whether or not something like this would meet the intent of this code.

Mr. Stoffel: Well, I think that would stand out more than anything there.

Mr. : There are a lot of much older homes in there. That's probably why it would stand out so much because of the newness of it.

Ms. Wallace: I guess it would depend on what the exterior was made out of. If you go with a basic siding like most of the other houses on the street, it would blend in more than – that looks more like a cedar vacation home that you'd see in Hocking Hills as opposed to if you have a tan siding with some shutters on it. It could very well look like some of the houses in the neighborhood.

Mr. Stoffel: Yeah. For me, this picture doesn't give me much to go by because it doesn't have any windows. It doesn't have a garage. I mean, if we saw something that more to the intent that he's intending to build, then I would be – I'd probably have more of an opinion; but something like that with the right kind of siding and windows, I still don't know if it would fit if it was a lot like that.

Mr. Robbins: So it's kind of a matter of the execution and how he can—

Mr. Stoffel: Yeah. Because code says he can do some things.

Mr. Robbins: Right.

Mr. Stoffel: But that wouldn't be it.

Mr. : As far as what a manufactured home would – these things are made to be homes. I mean, is there even a catch – right at the gate. I mean, are we even off the ground. It says a manufactured home – can it even qualify as that? It's a shipping container. I mean, you can put a couple of them together and get a rectangular shape box and side it, put windows and put a roof on it and you wouldn't know the difference but it seems real gimmicky to me. I'm real hesitant to even—

Mr. Robbins: Yeah. And if you read the first part of the code, it says an OBBC approved residential designed manufactured home shall be permitted in any district, so again this would have to be something that's approved by the Ohio Building Code. So this is not something I've looked into extensively to see if the meaning of the code is that is something that meets Ohio Building Code of if there's basically a list of manufacturers that are approved by the code. I'm not sure at this point. I don't know if you guys have any knowledge on that or not.

Mr. : I'm curious as to the reason why – by the end of the time when you do all of the finishing inside, by the time you build anything to put insulation up because you're going to have to meet certain insulation requirements. You're going to have to build some interior walls. You're already there. What's the point of the shipping container?

Mr. Robbins: Yeah.

Mr. : I just – to me it doesn't seem like – I mean, if you're out in the middle of nowhere where you can do whatever you want and you're not worried about insulation, maybe it's not going to matter but by the time you get all your interior finishings done, your interior walls up, I don't even see the point of it.

Mr. Robbins: Right. It seems like one of the draws of doing something like this would be to have that shipping container look to it. I feel like if you stray too far from this – again what's the point rather than just buying a pre-manufactured home.

Mr. : And there are people who like to live and appear to live simplistically and that would give that appearance.

Mr. : Well, I'd like to know how they could plumb it.

Mr. : That's a good point.

Ms. Wallace: And it looks more vacation home like to me than the other houses in that neighborhood. Like you said, we're just north of the Historic homes and then you go into homes that are built in the 50's or whenever the rest of that neighborhood was built and this – the shape of it would stand out. It's not like it's out in the country where you're not butted right up to somebody else. Those are homes are very close together.

Mr. Robbins: Sure. And again I think that's – letters D and E, or excuse me, letter E especially I guess, that it has to match the area or match the existing houses in the area like the orientation. You could pull it up to the street but even still it might not have the same features as a similar home. Finished materials again I think it matters, the detailing and how that's actually carried out, too.

Ms. Wallace: I think I might feel different if it was out in the country and it was the only home on a couple of acres. That would give me a completely different opinion on letting them attempt this rather than right in the center of—

Mr. : When they're right close together like that, that—

Ms. Wallace: And right in our downtown Reynoldsburg area that we're trying to build up.

Mr. : The Historic District-- I don't know.

Mr. Stoffel: I think he'd have to provide you with something a little more – a lot closer to what he intends to build.

Mr. Robbins: Sure.

Mr. : Can you pull up the OBBC codes that would be relevant to that and take a quick look at it? That might even answer the question for us.

Mr. Robbins: Sure:

Mr. : If everything's Googlable.

Ms. Wallace: I guess an actual picture of what he is planning on putting there, not just another one that somebody has done somewhere else.

Mr. : Well, that's what people have tried to do.

Ms. Wallace: One that he's actually going to do in that neighborhood.

Mr. : What it's really going to look like, the finished product. That would be a better way. I'd like to know how those things _____ garage.

Mr. : Those shipping containers – what's the width on one of those?

Mr. : Only about 12 feet.

Mr. 12, 13 feet or so. If they put two of them together and two of them on top, I mean, you're talking about a house that's probably going to look similar to those as far as the general shape and then if you do all the finishing on the outside to hide everything, you might not even know what it is. I just – I don't understand the desire to-- You're complicating things and it would probably in the long run more cost effective to just use typical building materials in typical situations. You're going to be asking guys who are trained to come in and work in an environment that they've never worked in, cutting through steel walls and I it just seems to me like you're compounding problems more than it's worth.

Mr. : _____ figure thing about grounding, too, when you run electricity.

Mr. Robbins: You'd have yourself a Faraday cage, for the electricians in the room.

Mr. Stoffel: Do what?

Mr. Robbins: I said you would have yourself a Faraday cage.

Mr. : Yeah. Absolutely.

Mr. : _____ electrical storms.

Mr. : A one _____.

Mr. Robbins: Let's see.

Mr. Stoffel: While he's looking at that, you guys know the story of the Lustron Homes and we have one in Reynoldsburg?

Mr. : Where's that at?

Mr. Stoffel: Right there on – you asked me too quick. Just past, just east of the new gas station at Waggoner and Main. The blue single-story. Actually, it looks like they expanded it. It's on the north side, single-story, blue – Lustron Homes. They used to, real quick – post WWII they were Ohio builders that made these pre-constructed homes out of metal with a porcelain finish. So they'd slap these dudes up. They'd be done in four days. Well, they got – they built a lot of them but they – two things – they got kind of behind the building and curved a little late after WWII there was slow startup and apparently they didn't use government grants quite as well as they could have and they kind of went under. But they have one down at the Ohio Historical Society. In the building they now have a 50's exhibit and they have a Lustron home. It's all metal.

That's the house. Everything is metal so if you wanted to hang a picture you did it with magnets, everything. It's really cool.

Ms. Wallace: And there's one on Main Street just east of Waggoner?

Mr. Stoffel: Just east of Waggoner.

Ms. Wallace: On the north side?

Mr. Stoffel: Yeah.

Ms. Wallace: Is it blue, you say?

Mr. Stoffel: Yeah. Kind of—

Mr. Robbins: This might be a little bit off topic but we have a guy in our office and his wife actually works in that Lustron home at the Ohio Historical Society dressed up in the 50's garb.

Mr. Stoffel: I talked to her.

Mr. Robbins: Did you really?

Mr. Stoffel: I walked in there and honestly it freaked me out for a minute because I knew what she was trying to do. She said, "Oh, welcome. I'd like to tell you about my house." It's like, "Oh, this is weird." And it's like, "Okay. I'll play along." So we had a good time, me and my wife, talking to her. "Yeah. We do this and the dishwasher here, we wash clothes in it, too. All we've got to do is change the tub but people don't like it because we do diapers in the sink." I said, "Boy, you got to hang in there because in the future I think you're going to be able to—" "Oh, I hope so." She was outstanding. She was so good. Yeah. That house is amazing. They had a 55 Bel Air pull an Airstream. That's pretty cool. Had TV shows on in the bedrooms, the 50's radio stations.

Mr. Robbins: Let's see. I don't want to waste too much time on this. It looks like they have model standards, USC—

Mr. Stoffel: The houses came in four colors and whatever color you got that was the whole house, every wall, the exterior, everything was one of four colors.

Mr. Robbins: I'm flipping through. If anybody sees anything they would like to read.

Mr. : Big double I there here has something in it.

Mr. Robbins: There's B and there's two, establishment of standards. Looks like they have specific manufacturers.

Mr. Stoffel: Yeah. That 5403—

Mr. : And it would have to have plans as a manufactured home.

Mr. Robbins: Right.

Mr. : You know, which would imply that the thing was built somewhere else and brought it in installed, not shipping containers brought here and then we do all the interior finishes here.

Mr. Robbins: This brings up a lot of interesting questions. I guess now we're in — and the fact that it depends on how they build it as well. I mean, if you have the main structural element that's brought to the site but then everything that applied within, would that still be pre-manufactured?

Mr. : I don't know.

Mr. Robbins: Well, I appreciate the Board's time in helping staff determine this. I think we have a lot to talk about with the non-applicant at this point but let him know that it's going to be in the execution and that we'll have to look a little bit further into the Ohio Building Code and what it says about pre-manufactured homes and if it would be even something that's allowable under the very first part of our code.

Mr. Stoffel: They might be trying to get a little foothold.

Ms. Wallace: And the other thing is, how deep does that property? Does it go all the way back to the creek and is it going to be sitting how close to Lancaster Avenue or is it going to be back in the woods where you're not really going to see it during a drive-by?

(discussion)

Mr. : _____ 30-foot setback right? We've got 30-foot setbacks?

Mr. : Yeah. That's correct.

Mr. : So it's got to be pulled 30 feet from Lancaster Avenue. It has to start — the front of the building has to be 30 feet off of Lancaster Avenue.

Mr. Robbins: Well, it doesn't necessarily have to be. It has to be at least 30 feet from there so they can push it back further if they want.

Mr. : Okay.

Mr. Robbins: As long as they are not in the flood plane and they don't hit the rear setback of 30 feet if that's an R3 property.

Ms. Wallace: Pretty much the flood plane goes almost all the way up to the houses in that area because it does come all the way up—

Mr. Robbins: Yeah. Those things will probably float right down there.

Ms. Wallace: The flood – that water comes all the way up to the back of those houses right there across the street from the church.

Ms. Moellen: I bet they are right now, too, with the snow melting.

Mr. Robbins: Well, I think that will be the end of our Other Business, so again I appreciate the input from the Board.

Mr. Stoffel: Great. Is there any Other Business?

Mr. Robbins: There's not.

Mr. Stoffel: If not, we'll adjourn at 7:01. Oh, did we welcome Rick to the Board?

Mr. Robbins: We did not. For all those who don't know, this is Rick Donovan who is just appointed to the Board of Zoning and Building Appeals I think at the last Council meeting, I believe.

Mr. Donovan: Yes.

Mr. Robbins: Again, I apologize for mistaking you for an applicant.

Mr. Donovan: Oh, that's okay. I've been called worse.

Mr. Robbins: So welcome and again if you have any questions I'm always free hopefully to answer them and provide my very keen insight and guidance.

D. ADJOURNMENT

The meeting was adjourned at 7:01 o'clock p.m.

David Stoffel, Chair

Justin Robbins, Planning Administrator