



MINUTES OF THE REGULAR MEETING
WORTHINGTON ARCHITECTURAL REVIEW BOARD
WORTHINGTON MUNICIPAL PLANNING COMMISSION
February 25, 2016

The regular meeting of the Worthington Architectural Review Board and the Worthington Municipal Planning Commission was called to order at 7:30 p.m. with the following members present: Michael Coulter, Chair; James Sauer, Vice-Chair; Kathy Holcombe, Secretary; Thomas Reis; Amy Lloyd; and David Foust. Also present were: Scott Myers, Worthington City Council Representative to the Municipal Planning Commission; Lee Brown, Director of Planning & Building; and Melissa Cohan, Paralegal. Commission member Edwin Hofmann was absent.

A. Call to Order – 7:30 p.m.

1. Roll Call
2. Pledge of Allegiance
3. The minutes of the February 11, 2016 meeting were not ready for approval.
4. Affirmation/swearing in of witnesses

B. Municipal Planning Commission

1. Conditional Use - Unfinished

- a. Semipublic Use in R-10 – Landscaping Modifications – **6238 Linworth Rd.** (Linworth Baptist Church) **CU 02-16** (Amendment to CU 03-15)

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This was a single-family residential property abutting the north side of the Linworth Baptist Church on the east side of Linworth Rd. The Municipal Planning Commission approved a Conditional Use Permit in March of 2015 to allow the church to construct a parking lot on the site. In May of 2015 the Board of Zoning Appeals approved variances allowing the use on the lot, and with parking in the front setback. Both bodies' approvals included a proposed landscape plan.

Application was made in January to revise the landscape plan, and table at the January 28, 2016 MPC meeting. The MPC expressed concerns with screening of the parking lot. A second revision has now been submitted for the Commission's approval.

Project Details:

1. A variety of trees, some of which were growing into the power lines, honeysuckle, and other plant material made up the existing vegetation at the front of the property that was removed. In addition, some vegetation was removed along the north side of the property. Retention of the plant materials as planned would have mitigated the impact of the parking lot from Linworth Rd., and the property owner to the north.
2. Seven 2.5" caliper Shingle Oak trees are now installed along the front edge of the parking lot, just beyond the 30" high Seagreen Junipers that edge the parking lot. Additionally, eighteen 6'-8' tall Serbian and Black Hills Spruce trees are proposed along the west and south sides of the parking lot. The additional evergreen trees are shown on the plan and in enhanced photographs to illustrate the approximate locations.
3. On the original site plan, the property line on the north was shown adjacent to the residential house to the north. Now, this plan which was based on a boundary survey shows the line further south. Although the distance from the parking lot to the house is still about 30', proximity of the parking lot to the property line is less than 25'. Per the Code, the parking lot could be 12.5' from the property line if screened with a masonry wall, solid fence, or a 10' wide strip of land planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than 4' in height. To help screen the parking lot from the neighbors to the north, 40 - 4' high evergreens were planted. Gaps exist between the shrubs to allow room for the plants to grow; the landscape architect believes they will grow together in about a year. At the northeast corner of the parking lot, tiered retaining walls were added. Maiden Grass is proposed to screen the area.
4. Approval will also be needed from the Board of Zoning Appeals.
5. A letter is attached to the application expressing ongoing concerns from the property owners to the north.

Land Use Plans:

Worthington Conditional Use Permit Regulations

The following basic standards apply to conditional uses in any "R" District: The location, size, nature and intensity of the use, operations involved in or conducted in connection with it, its site layout and its relation to streets giving access to it, shall be such that both pedestrian and vehicular traffic to and from the use will not be hazardous, inconvenient or conflict with the normal traffic on residential streets, taking into account the relation to main traffic thoroughfares and to street intersections, parking, screening and the general character and intensity of development of the area. The provisions for parking and screening shall be specified by the applicant and considered by the Commission.

Recommendation:

Staff is recommending approval of this application. The additional evergreen trees should help

mitigate the impact of the parking lot.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Donald Plank said he is an attorney representing his client, the Linworth Baptist Church, and Mr. Plank's address is 145 E. Rich St., Columbus, Ohio. Mr. Foust said he was not on the Board when this application came through the first time. He asked for clarification of the north boundary with the required setback since the survey changed and if the construction is in compliance with the Code and what was approved. Mr. Brown said yes, if a parking lot is next to an R-10 residential district you can go down to twelve and a half feet as long as there is screening between the parking lot and the neighboring property. Even with the adjustment from the mortgage survey to the boundary survey it still meets the twelve and half feet. Mr. Brown said there is approximately sixteen feet from the northern edge of the parking lot to the property line. Mr. Coulter said he has been out at the site several times because he wanted to see how the trees were looking and where the northern boundary of the parking lot was in relationship to the home to the north. He wanted to see if he had any other concerns, and where additional trees might need to be planted. Mr. Coulter said he had a discussion with Mr. Brown about proposing the addition of a guardrail to help protect the home to the north. He said the guardrail shown at the meeting this evening is similar to the one the State of Ohio uses in their parks. He said the guardrail also looks architecturally sensitive. Mr. Coulter said the idea of the City arborist going out and taking a look at the trees that have been planted and making some suggestions as to where there should be additional plantings is good. He said he is more comfortable with what has been presented this evening with the additional landscaping.

Mr. Sauer said the idea of a guardrail is a good idea. He said one of the things that concerns him is there were a number of trees missing. The area is now different than was originally presented. Mr. Brown said the main reason the applicant is back this evening is because of the removal of the trees along the northern and western property lines, and the mature pines that were along the southern property line. Mr. Sauer said he did not see anything on the northern property line. Mr. Brown explained that is why they are proposing to add additional trees, to help protect the area as well as provide additional screening for the neighbor. He said the honeysuckle is beginning to grow back. In some situations honeysuckle can be great for screening.

Mr. Coulter asked for clarification as to where the property line is in regards to the slope. Mr. Brown showed Mr. Coulter on the photograph and said staff is proposing additional vegetation be added to the northern property line in addition to the guardrail that was discussed for an additional sense of security.

Mr. Plank said this is a continuation of the meeting that took place two weeks ago, but he was not present at that meeting. He said this Board gave direction to his client's landscape architect and the plan that is presented tonight reflects those comments. Since that time, there have been additional discussions with City staff. Mr. Plank said he would be available for questions, but he would now turn the discussion over to the landscape architect. Mr. Todd Foley said he works for POD Design and his address is 100 Northwoods Blvd., Columbus, Ohio 43235.

Mr. Foley said he wanted to reiterate a few things that Mr. Brown presented as far as what has changed for the plan. He said he understood what the directive was from the last meeting. He said they have shifted the evergreen trees along the south as noted. On the west they have added two species, both of which will be six to eight feet tall when planted. There will also be ornamental grasses planted to help fill in some of the gaps and further balance the screening on the west property line. The retaining wall shown in the photographs will also have ornamental grasses. Mr. Foley suggested adding some shade trees as opposed to evergreens because the trees will establish a taller canopy. He said they are committed to adding additional plantings in that area. Mr. Coulter asked Mr. Foley if there was a specific caliper size that he would recommend. Mr. Foley said he would prefer to see Oaks planted, such as the City arborist suggested on the west property line. He said he feels that there should be enough room to plant three trees in that area. Mr. Sauer asked if three trees would be enough.

Mr. Brown said staff met with the City arborist who recommended that Oak trees be planted, and/or Spruce trees be planted along the northern property line. Mr. Brown said that is also what staff felt would work when they went to take photographs of the site. A mix of trees would look best so the area would not look so uniform. Mrs. Holcombe said she would like to see a mix of trees because the junipers along the parking lot look like a line of soldiers. Mrs. Holcombe asked Mr. Foley if the church plans to install the guardrail and he said yes. She asked him what type of materials would be used. Mr. Foley said the rail would look like what was proposed in the photograph. There would be an eight by eight wood post with a four by eight wood rail across the front with carriage bolts.

Mr. Foust said he would doubt any amount of vegetation would screen the headlights from the parking lot so he suggested using a wider guardrail at typical headlight height to help screen the headlights, and it might be a good idea to use one along Linworth Rd. Mr. Coulter said he was not so sure that an additional guardrail would be needed for the area along Linworth Road because the Honeysuckle is beginning to grow back and should help screen the area, and the ornamental grasses will also be there.

Mr. Foley said the area in the photographs is not as full as the area will be in the future. He said they are very confident in what they are proposing to plant. Mr. Foley explained this parking lot is not similar to a Kroger, or United Dairy Farmers parking lot. This parking lot is to serve the Sunday congregation. There may be cars there at other times, but will be far less utilized than a retail store. Mr. Coulter asked the homeowner to the north if they would like to speak.

Mrs. Ashley Zollars stated her address is 6280 Linworth Rd. Mrs. Zollars said she sent a letter to Mrs. Bitar and she wanted to know if the letter was received and distributed to the Board members. The Board members nodded yes. Mrs. Zollars said the church pulled out trees that were not supposed to be removed from the site plan and not approved by the City. No soil test was done. She said she was surprised that no one thought to do that. Mrs. Zollars said when there was a boundary dispute they had a survey done. She said they were never contacted by anyone to ask her what type of trees she would like because this area sits on top of her house. Mrs. Zollars said her husband went to the original meeting and explained what their criteria was. She said they were

guaranteed a twenty-five foot setback, and now does not understand why that is not happening. She said if additional shrubs are planted they will encroach onto their property.

Mrs. Zollars said they bought their home in 2007. She said the weight of the cars sitting on the parking lot above her home, year after year, is affecting the hillside. She said an architect disapproved of an addition to her home because of the instability of the hillside. Mrs. Zollars said she would like to see some of the parking lot removed away from the hillside. She would like to see all of the vegetation that was ripped out, unapproved, put back in, which was a variety of trees. She said as a citizen and taxpayer she feels she has been bamboozled. Mrs. Zollars reiterated she was never contacted and she wants some of the parking lot ripped up and away from the top of her house. Mrs. Zollars said she spent a lot of time and money cleaning up that area of the neighborhood because it previously looked like a hole. She asked for help in getting what she was originally told she would get, she wants the vegetation put back in place, and would like someone to ask her what she wants not just what the church wants.

Mr. Jay Zollars stated his address is 6280 Linworth Rd. Mr. Zollars said they supported the church when they wanted to buy the property. He said they thought they had a good understanding the church would put in a parking lot without lights, and would have a twenty-five foot setback. He said he stopped going to the meetings because he is a trusting person, but feels the church has betrayed his trust because they went behind his back to reduce the setback to sixteen feet. He said he was not notified by the City of the setback change. Mr. Zollars said the parking lot is sitting on top of his house. He said the church removed trees without ever consulting with them. Mr. Zollars said he would like to see the parking spaces which are behind his house removed and have the setback be twenty-five feet. He said the rest of the parking areas are fine. Mr. Zollars said the additional planting of trees will be fine but the leaves are going to clog up his gutters. He said if the setback is twenty-five feet and trees were planted then all of the leaves would fall on the church's property. Mr. Zollars said that there needs to be some respect of the families that own homes next to commercial properties. He said he was very disappointed that this discussion was happening.

Mrs. Holcombe asked Mr. Zollars if the size of the parking lot is what was originally approved by the Commission and Mr. Zollars said no. There was supposed to be a twenty-five foot setback. Mrs. Zollars said the parking lot is what was approved but they were guaranteed of a twenty-five foot setback. They did not approve having the parking lot over the top of their house.

Mr. Reis said he was sympathetic with what Mrs. Zollars was saying. He asked her if any of the vegetation that was removed was on her property and she and Mr. Zollars said no, not that they are aware of.

Mr. Sauer asked if there was a record showing where the Zollars were promised a twenty-five foot setback. Mr. Brown said what is before you now is what was approved. Mrs. Zollars made reference to a discussion in prior minutes of the original meeting about the twenty-five foot setback. The distance from the house to the parking lot is what was approved by the Commission and is shown on the site plan.

Mrs. Zollars said when she the asphalt was going to be so close to her home she immediately called Mr. Brown and said she was willing to discuss the matter but the asphalt continued to be poured. She said she asked Mr. Brown if the church was willing to talk and she was told no, and said that she has an email to that reference. She said if there was a problem with the property line she should have been contacted.

Mr. Coulter explained what has not changed since the first meeting is the distance from the edge of the Zollars house to the edge of the parking lot. Wherever that property line is that distance is still the same. What has changed is where the property line actually is, and what was also confirmed this evening is that the parking lot is beyond the minimum requirement.

Mr. Plank explained there was never a representation that they would be twenty-five feet from the property line. The distance was always sixteen feet and his client is entitled to that under the Zoning Code. Mr. Plank said that under the zoning code if you provide the screening you can reduce your setback by fifty percent. He said there was never a dispute about the property line. What the Board members were looking at in a photograph was done by GIS. When they met with the neighbors early on the neighbors told them their house did not encroach onto the church's property. A survey was done, and showed the house further north. Mr. Plank said they have always known where the property line is, and that there was engineering involved and soil samples were taken because they had to build retaining walls. He said the soil is not going to flow into the Zollars property. Mrs. Zollars asked where the results of test were. No answer was given. Mr. Plank continued to discuss that the distance from the parking lot and the Zollars home has not changed since the beginning of the project.

Mr. Coulter asked Mr. Plank if soil samples were taken and Mr. Plank said engineering was performed in order for the retaining walls to be installed, but not soil samples.

Mr. Sauer said he vaguely remembers a discussion about the distance from the parking lot in relation to the property line and that there was more than twelve feet. He said when he looks at this visually the distance appears to be more than a parking space and he knows that a parking space is about twenty feet. He said he has to assume what is presented before him is correct. Mr. Sauer continued to say that he feels there is some responsibility on the church if the parking lot is closer to the house than what was originally agreed to.

Mr. Plank said he had Mr. Foley go out to the site and physically measure the distance between the house and the parking lot to see if it complied with the original drawing. He will testify if you ask that the setback is sixteen and a half feet from the property line to the parking lot. The distance between the parking lot and the house is approximately twenty-nine feet and it has been that way from the beginning. Mr. Plank said there are better drawings. Mr. Sauer explained that the Commission has to rely on what is being presented to them as being accurate. He said they have to trust what the applicants present is correct. The Commission does not go out and verify all the information presented to them. If the property line is further south, he understands that, but the parking lot may have been closer to the property line than the Board was left to believe. He initially

thought the house may have been over the property line, but understands the house is further north. Mr. Sauer believes the church has the responsibility to make the situation right.

Mr. Plank said the church has been responsible by coming back in and going through this process. The church removed trees on the south side of the property for a good reason because they buried the electrical line. The other trees removed were already in bad shape because AEP had chopped the tops of the trees off that were on the west side of the property, and the understanding was those trees would be removed. They are back before the Commission this evening to make some adjustments. Mr. Plank explained there were a number of trees on the property before construction. When construction takes place trees are typically removed to move forward with a plan that was approved. People are sometimes surprised after construction because they did not fully realize what the area would look like after construction and that is why they are before the Board tonight to make a few adjustments and add additional screening.

Mr. Coulter told Mr. Zollars when he was before the Commission last time there were a couple of concerns that he had. He said let us agree that the parking lot is where it was supposed to be for now. One of the concerns was t about cars jumping the curb and going down into your house. The church has come back and proposed a retaining rail which he feels resolves that issue. Another concern was that you might get more leaves in your gutter if oak trees are planted. The counter to that is they use the same kind of trees that have been already planted so they can still provide additional screening but you get away from the oak leaves. He said it is unfortunate the property line was not presented accurately the first time, but the fact of the matter is the parking lot is still in the same relationship with where the edge of the house is today and has not changed. With the property line truly where it is, the parking lot edge does meet the Code requirement.

Mr. Zollars said this may meet the Code but he does not believe the Code could foresee a parking lot twenty feet above their house. Mrs. Zollars said she does not understand why the church cannot remove a few parking spaces and be neighborly.

Mrs. Holcombe asked Mrs. Zollars what happened that she did not expect.

Mr. and Mrs. Zollars both replied they did not expect to have the parking lot so close to their house. Mrs. Holcombe explained that nothing has changed from the approved plan except the location of the property line. Mrs. Zollars said she was told in the initial meeting there would be a twenty-five foot setback. She said she was never notified by anybody it would be different. Before anything gets approved Mrs. Zollars said she would like to see soil samples. She is very concerned the pressure of the cars being on the hillside year after year may cause further damage to the property.

Mr. Coulter asked Mr. Plank what type of soil testing was done, and Mr. Plank was not certain. He said testing was done to determine the load of the vehicles the hillside could withstand. Mr. Plank said he is willing to share the results from the engineering tests.

Mr. Coulter suggested tabling the issue, upon the Church's request, to allow time for the Zollars

to view the information the City was able to review. Mrs. Zollars asked if the City performs soil testing and Mr. Coulter said no, the City does not do soil testing. Testing is performed by an independent source. Mr. Sauer said there needs to be clarification as to what type of soil testing is done. He said if the top twelve inches of the subgrade is stable enough to support the pavement that is one type of test, but a different test may be needed to see if the hill can support the weight. Mr. Sauer said his brother's church is having a problem with their parking lot sliding down the hill.

Mr. Coulter suggested reviewing engineering tests that have already been done, and having the City confirm the information was reviewed and approved and share the information with the Zollars. Mr. Brown said he would still like to get feedback on additional landscaping. Mr. Coulter asked the Zollars if they were okay with additional trees being planted because of Mr. Zollars concern about getting leaves in the gutters. Mrs. Zollars said the additional trees were fine, she believes her husband was referring to the trees that were in the back of the house. Mrs. Zollars showed on a photograph were the trees were ripped out.

Mr. Reis said he believes the landscaping along Linworth Road is fine, but he would like to see the church come up with a landscaping plan to the north that would fill in the area adequately with evergreens and some deciduous trees that can be reviewed with the Zollars.

Mr. Coulter asked if there was anyone else present that wanted to speak either for or against this application and one person came forward.

Mr. Paul Ward said he is one of the members of the church that is responsible for this project. He said he would appreciate any help he could get in getting this matter resolved. Mr. Ward said the church has seven hundred members, and over half of that number live in the Worthington area. He explained to the Commission it is their desire to be a good neighbor to everyone in the community. Mr. Ward said they are in a difficult situation with this family and he is very sorry for that. He asked for the Board's help in getting this matter resolved because every time they walk away from one of these meetings the church has to pay ten thousand dollars in fees. He said their desire is to get this project done right. Mr. Ward said the Zollars family has a successful real estate business and they knew they did not build their house on the church's lot. When the Zollars did their 2007 survey they knew their home was within the lot lines. He said the church did their own survey and are in compliance and they built the parking lot exactly where they said it would be. The parking lot is exactly where it is supposed to be. Mr. Ward said they spent \$4,000 dollars in additional trees along the north lot line and they are three feet on center and four feet high. He apologized for not getting plants that were thirty-six inches high, but in the month of December he had a difficult time trying to find sixty plants of that height. Trees will be planted on the north edge that will be ten to twelve feet tall. The hedge along Linworth Road will be four to six feet tall. He said the church is doing what was asked of them. Mr. Ward apologized for destroying the big pine trees on the south edge of the lot, but they invested \$20,000 dollars in the churches money to bury the hanging electric lines that were twelve feet from the surface of the road. The church felt the hanging wires could be hazardous to someone driving a pick-up truck that might snag the high powered wire. They discussed the matter with AEP, and did not know they were going to

be burying the wires until the month of October. He said AEP gave them the plans and the church's contractor took care of the job of burying the wires. Mr. Ward said he is not certain they are able to do this, but he would be willing to drill for a core sample, but he's not so sure that would be adequate testing to know if the hill will move. Mr. Ward said the last point he wanted to make was they removed so much topsoil and hauled it over to the shopping center and whatever stone and four inches of black top is there now has to weigh less than what was there before the trees being removed. Mr. Ward said he also appreciated the concern about headlights. He said if you noticed in their original application there is no lighting on the parking lot and the reason they do not is because they do not operate the church at night. Mr. Ward said they have a program on Wednesday nights but they do not use that area of parking on Wednesday nights. He said he cannot say there will never be headlights but their intent is not to use the parking lot at night. The area is mainly for overflow parking during Sunday morning services.

He would like some advice from the Commission spelling out what needs to be done so they can get this matter resolved because this has been an extremely expensive proposition. He said their desire is to get this right and make everyone happy. Mr. Ward specifically apologized to the Zollars and said the church had no intention of harming or upsetting them. Mr. Ward said there is not one thing different than what Mr. Zollars is on the record on March 28th saying, "I am in favor of this."

Mr. Coulter explained that Mr. Ward could ask for a vote, and whoever crafts the motion for the Commission can put in the amendment of the additional guardrail and landscaping as was presented this evening, and may modify some of that landscaping per the discussion. Alternatively, Mr. Ward could ask for the application to be tabled, and take time to confirm with the City Engineer the design of the parking lot is sound, and the information will be shared with the family to the north so they have the ability to be comfortable with the results, or raise additional concerns. In addition, he suggested Mr. Ward have a discussion with the Zollars about additional trees for the northeast corner. Mr. Coulter said he feels that everybody is comfortable with what has been presented for the west side of the property with additional shrubbery and ornamental grasses that will be planted as soon as the weather will allow.

The City's Law Director, Mrs. Pam Fox said the applicant is present this evening to talk about a landscape plan. The City will certainly share any documents with the Zollars. She explained the City's Chief Building Official would not have approved a plan if did not meet Building Code requirements. The parking lot, in the location it is now, was approved, and built and not what is before the Commission this evening. What is before the before the Commission this evening is a landscape plan. She said if the church wants to share any information with the Zollars that would be appreciated, but she just wanted to remind the Commission what is before them this evening. Mrs. Fox continued to say the parking lot was approved and constructed and the applicant is only back before the Commission this evening to discuss landscaping.

Mr. Ward said he would like to have the Commission members vote. He said whoever crafts the motion he would like for them to include the guardrail, and the additional vegetation. Mr. Ward said he would like to follow through with Mr. Brown and City staff. If the Zollars family is

satisfied with the plan then that is what they will do. Mr. Plank said he will provide the neighbors with the site plan which shows the additional landscaping and the guardrail at the Board of Zoning Appeals (BZA) meeting.

Mr. Brown said whatever the church comes up with for the northern property line he said he wants to make sure that information is given to the Zollars family before the next BZA meeting. He would also like the City arborist to have the opportunity to review the plan for comments. The City arborist had previously suggested a mix of trees so the landscape would not look so uniform. Mr. Brown would like to give the Zollars the courtesy of reviewing the plan before the next meeting, and the City arborist in the event he may have some additional comments. Mr. Plank said they would be delighted to do that.

Motion:

Mr. Reis moved:

THAT THE REQUEST BY LINWORTH BAPTIST CHURCH TO AMEND THE CONDITIONAL USE PERMIT TO EXTEND THE SEMIPUBLIC USE ONTO THE PROPERTY AT 6238 LINWORTH RD. , AS PER CASE NO. CU 02-16, DRAWINGS NO. CU 02-16, DATED FEBRUARY 12, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE FOLLOWING AMENDMENTS:

- That a wood timber guardrail be placed along the north boundary and extend and wrap around the front of the two spaces which face the northeast;
- That the applicant work with the City to provide a revised landscaping plan on the north and northeast side of the property

Mrs. Holcombe asked if the information will be shared with the Zollars family and Mr. Brown said he would take care of coordinating the information for the Zollars family and the City arborist.

Mrs. Holcombe seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, nay; Mrs. Holcombe, aye; and Mr. Reis, aye. The motion was approved.

Mr. Coulter explained that the Architectural Review Board would now convene to review the next Agenda items.

C. Architectural Review Board

1. New

- a. Shed, Screening, Satellite Dish – **140 W. New England Ave.** (Sherri & Stephan Cooke) **AR 03-16**

Findings of Fact & Conclusions

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ARB/MPC Meeting February 25, 2016

Minutes

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This Cape Cod style house was constructed in 1962, and has been modified and renovated over the years. The house is a contributing building in the Worthington Historic District. The homeowners added an outdoor shower and a small metal shed last year. At its October 22, 2015 meeting, the ARB approved the shower but did not feel the metal shed was appropriate. Also, the Board asked that the trash cans stay out of sight from the public right-of-way. Approval was then sought for construction of a new wooden shed, fencing to screen the trash cans, and the addition of a satellite dish. The neighbor to the north was concerned with the size and placement of the shed, and the ARB denied the entire application.

A shed was formerly located on the east side of the house, but was removed as part of a renovation project completed from 2012-2014. The homeowners are now seeking approval to construct a new shed on the east side of the house.

This application also includes screening for the garbage cans and placement of the satellite dish.

Project Details:

1. Placement of the shed is now proposed on the east side of the house toward the south corner. The proposed size is 6' wide by 7' deep, and would fit in the area between the house and an existing landscape bed framed with timbers. View of the condensing units from the street would be mostly blocked by the proposed structure. The homeowners are proposing a gabled roof for the shed with the pitch and shingles to match the house. Siding is proposed to be white board and batten to match the sunroom and outdoor shower, but the applicants are willing to match the siding on the house in material and color if preferred. They are also open to having door placement on the north or south side of the structure. The existing metal shed would be removed with construction of the new shed.
2. At the last meeting, the homeowners were proposing to enclose the area (approximately 10' x 3'8") that houses the garbage cans with a fence to match the existing in the rear yard. After looking at other properties in the District (photos are included with the application), they would now like to let the cans be screened by the existing vegetation as they have always been, rather than constructing the fence enclosure. The Property Maintenance Code says that containers for the purpose of placing rubbish or garbage in a residential district shall not be located in the front yard. The front yard is defined as that portion of the property between the right of way and the front of the principal structure, and corner lots are considered to have two front yards. The location of the cans is not closer to the right-of-way than the house.
3. At the last meeting, the property owners committed to placement of the dish on the back or top of the house at the east or west corners, or on the front only if hidden behind a bush. The satellite dish to provide Direct TV was installed on the rear of the roof toward the east side.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

The Guidelines call for outbuildings to be compatible in appearance to the house they accompany. The ARB reviews the compatibility of design and materials.

Side yard fences should be open in style (avoid solid, opaque fences that block all views) and three to four feet in height.

Satellite dish placement should be in a location that minimizes the visual impact as seen from the right-of-way.

Recommendation:

Staff is recommending *approval* of this application. The shed is appropriately designed and located. Fencing would be effective in screening the garbage containers, but would be more obtrusive as viewed from the right-of-way than the existing vegetation. Use of landscape screening is preferred. The satellite dish is appropriately placed on the back corner of the roof away from the rights-of-way.

Discussion:

Mr. Coulter asked if the applicant was present. Mrs. Sherri Cooke stated her address is 140 W. New England Ave., Worthington, Ohio. Mr. Sauer said he feels that the proposed shed looks fine but he would like to make sure the shed is painted the same color as the house. She asked the Board's opinion of what material would look best, using board and batten or lap siding. Mr. Sauer explained that either choice is fine as long as the structure is painted the same color as the house. He would also prefer the door to face the back yard. Mr. Foust said he believes the shed would look nice if she chooses the same material as the playhouse. Mrs. Holcombe said she agreed and would also like to see the door face the back yard, and painted blue to match the house. She said she understands that a house on a corner lot has a difficult time trying to screen the trash cans, but wants to make sure the lids are in place. Mrs. Cooke said they went around a one block area near her home and at least ten other homes have visible trash cans. Mr. Coulter said he appreciates the soft screening that is provided. He said in regards to the satellite dish there are some rules where the dishes can and cannot go. Mr. Coulter said he feels the satellite dish is probably in the best spot possible given the situation of a corner lot.

Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and two people raised their hands.

Mr. Jeff Bergen stated his address is 108 W. New England Ave., Worthington, Ohio. He said his property borders the eastern side of the applicant's property. He has no objection whatsoever to what is being proposed. He believes they are great neighbors.

Ms. Carol Easton stated her address is 129 W. New England Ave., Worthington, Ohio. Ms. Easton said she lives in the house across the street and she has no objections to what is being proposed. She said the Cookes are great neighbors. There were no other speakers.

Motion:

Mrs. Holcombe moved:

THAT THE REQUEST BY SHERRI & STEPHAN COOKE FOR A CERTIFICATE OF APPROPRIATENESS TO CONSTRUCT A SHED, AND PLACE A SATELLITE DISH AT 140 W. NEW ENGLAND AVE., AS PER CASE NO. AR 03-16, DRAWINGS NO. AR 03-16, DATED DECEMBER 14, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE FOLLOWING AMENDMENTS:

- That the location of the access door on the shed will face the condensing unit to the north;
- There will be no enclosure for the trash cans;
- The board and batten will be painted blue to match the house;
- The existing shed will be removed;
- That the satellite dish is okay.

Mr. Reis seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

- b. Modifications to Previous Approval – Lighting – **933 High St.** (InSite Real Estate, LLC/ Fresh Thyme Farmers Market) **AR 21-16** (Amendment to AR 10-16)

Findings of fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

InSite Real Estate, LLC received approval from the ARB in July of 2014 to construct a new building on the site to house Fresh Thyme Farmer’s Market. The property, formerly zoned C-3 and containing 2 office buildings, was rezoned as a PUD to accommodate the project. In September of 2015, Fresh Thyme opened its doors to the public with a Temporary Certificate of Occupancy. As InSite continued its work on the site and building, various alterations to the previous approval were made, and the ARB approved many of the changes at its meeting on January 14, 2016. With this application there is a brief review of timing on the other issues, and a new lighting plan is presented.

Project Details:

1. Site Issues:
 - a) Two trash receptacles are schedule for delivery, and may be installed by meeting time. The Fresh Thyme store director will have an employee walk the perimeter regularly to pick up flyers. Also, chicken wire mesh is proposed at the bottom of the fence so trash will not go under and into the adjacent properties.
 - b) The landscape contractor has been retained to monitor and maintain the erosion mat on the west side.
 - c) Insite is working with neighbors on gate issues.

2. **Furniture:**
 - a) New black cart corrals without signs are scheduled for delivery the week of February 29th.
 - b) Umbrellas without logos are scheduled for delivery the week of February 29th.
3. **Building:**
 - a) The returns on the parapets will be painted to match as the weather allows.
 - b) The sign on the rear of the building is scheduled to be re-wired to allow it to be turned off when the store is closed.
4. **Lighting:**
 - a) Parking Lot Lighting –
 - Fixture height would be reduced to 15' above grade as was originally approved.
 - The LED fixtures would be changed from having bell-shaped shades to angled shades to match the originally approved style, and the style on the building. The light source color temperature would be Neutral White (4000k).
 - The 6 poles in the interior of the parking lot would have double headed fixtures aimed to the north and south. The 2 poles in the southern island would have double headed fixtures aimed east and west.
 - Exposed concrete bases that have been painted black would remain. Pole base caps would be changed to round instead of the installed square version.
 - Two lighted 44 ½" high bollards are proposed in both the northwest and southwest landscaped corners of the parking lot. The lights would be shielded 180° to illuminate only toward the parking lot. The proposed bollard color is black, and the light source color temperature would be Neutral White (4000k).
 - With the new proposal, the lighting level at the property line is shown on the photometric plan as 0 footcandles.
 - b) South Side – Five lighted bollards as previously described, except with 360° illumination, are proposed along the sidewalk on the south side of the building.
 - c) Building Lighting – Three wall-mounted fixtures are proposed on the north side to illuminate the drive aisle. These fixtures would be toward the east side of the property, have angled shades, and be mounted at 14' above grade.
 - d) A light was installed on the AEP pole in the right-of-way at the drive entrance.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Have a regular maintenance program for landscaping, paving, furniture and other streetscape elements. Small details such as weed-filled planters or accumulated litter can give a strong negative impression. Fences may be helpful for screening transformers, gas meters, and communication equipment. Also consider using plantings for this purpose, but be sure they do not interfere with meter-reading or maintenance of equipment. Keep functional items such as trash containers, transformers and electrical boxes orderly and well screened.

Lighting - Use of fairly small lighting fixtures, and as few as possible, is recommended. Fixtures should not be overly ornate. Simple and smaller usually is better. Keep lighting at a pedestrian scale along the streetscape. Avoid lighting fixtures mounted high above the ground. Avoid excessive brightness. Watch for excessive “spilling” of light onto adjacent properties and into nearby windows, especially from parking lot lighting. Fixtures can include shades or screens to help with this. Light levels of 0 footcandles at the property line are recommended.

Recommendation:

Staff is recommending approval of this application based on the following comments:

- The proposed pole lighting is in line with the previous approval and is appropriate for the site.
- The addition of bollards in the northwest and southwest corners of the lot would provide the necessary illumination in the parking lot without spilling onto the neighboring residential properties.
- Proposed illumination of the drive by way of wall mounted lighting is appropriate in this location due to the space limitations. Larger fixtures in the same style will be complementary.
- A light on the electric pole in the right-of-way is appropriate.
- Turning the western building sign illumination off when the store is closed is appropriate.
- The other changes mentioned are in line with the previous approval.

Discussion:

Mr. Reis asked Mr. Brown what the level of the footcandles were at the edge of the property. Mr. Brown replied there are zero footcandles at the property line which is what is required.

Mr. Coulter asked if the applicant was present. Mr. Edwin Gebauer stated he is representing InSite Real Estate, and his address is 1400 16th St., Oak Brook, IL 60523. He said InSite is the owner, landlord and developer of the Fresh Thyme project. He said he did not have much to add to Mr. Brown’s presentation but he did want to make a few clarifications. Mr. Gebauer said since the last meeting he has brought in another lighting designer to give them a second opinion and make some telephone calls directly to the manufacturer and really tried to take back the feedback from the Board so they can get this right. He said he had a couple of clarifications with the proposed design. As far as the additional fixtures on the poles and the rotating, they are not going to direct illumination outward. These fixtures will still direct lighting down. There will be a little bit of a flash light effect which will brighten the areas within the parking isles and the drive isles in the center of the lot and will not project outward. There will still be zero footcandles at the lot line. As far as the concrete bases, they have been painted black, and they will be replacing the caps with circular caps, which is what was approved in the original plan. As far as the wall mounted lights, they had proposed four at the last meeting, but have decided to go with three instead because of the concern that a fourth wall mounted light might be visible to the neighbors on the north. A decision was made not to add one on the western portion of the building. The three wall mounted lights will be placed closer to High Street. The two bollard lights at the perimeter of the lots are one hundred and eighty degree projection verses three hundred and sixty degrees and should project the light away from the neighboring fences. Mr. Gebauer said he did some research on the

capability of the bollards and they can be motion sensed if the Board has a preference for that. The corner areas are less traveled and the lights would only come on when there is activity.

Mr. Coulter said he is not fond of motion sensors because some of them do not work well. He said he went by the store before coming to tonight's meeting and noticed the AEP light makes all the difference in the world. He said the drive looks much better with the additional illumination. Mr. Coulter said he looked at the chicken wire at the bottom of the fence and he believes that is a good solution to prevent trash from filtering through to private property. He said he is also comfortable with painting the concrete bases and the addition of two headed lamps. There will be a better distribution of light while still having zero footcandles at the lot line, and the lowering of the poles. He said he is satisfied with what has been presented by Mr. Gebauer and Mr. Brown.

Mr. Sauer said the bollards in the corners are a good idea. He asked Mr. Gebauer if someone parked their car near the bollards would their car door hit the bollards. Mr. Gebauer said the bollards are placed eighteen inches off the back of the curb so that is possible. Mr. Sauer said in lieu of the two bollards in that location where they would be blocked by cars that park, if there was one out at the radius of the curve then the bollard would be out of the way of the car doors opening and the light would not be blocked by parked cars. Mr. Gebauer said he feels that might be a reasonable modification to the plan. Mr. Gebauer continued to say the intent for both corners is to distribute a little more light to the western portion of the parking lot. Mr. Sauer said he noticed the lighting color was set at 4000K. Mr. Coulter said he is comfortable with the light color.

Mr. Gebauer said the color is called neutral white. He said the color of the light proposed will not be amber like the AEP lamp, the color will be more incandescent. Mrs. Holcombe asked if the four bollards would be for the west side of the parking lot and Mr. Gebauer said yes. Mrs. Holcombe said she would like the sensed bollards in the area because she felt a sense of darkness when she visited the parking lot the night before. Mr. Coulter explained when motion sensors go bad you cannot tell unless you see someone walk past and the light does not go on. He would rather see the bollard lights constantly on. Mrs. Holcombe and Mr. Foust agreed. Mr. Foust felt lights are distracting when they turn off and on. He felt that two bollards would be better than one and could be placed further back in the plantings area so that they would not interfere with car doors. Mr. Gebauer said he could make that adjustment to have two bollards if that is what the Board prefers. Mr. Coulter said one would be fine but felt that having two lights would provide a better distribution of light.

Mr. Brown expressed concern about the lights being moved closer to the neighbors at the northwest corner. He understands the lights will need to be back far enough as to not interfere with the car doors but should also not interfere with the neighbors to the north.

Mr. Gebauer said when he inspected the parking lot at night he noticed that the southwest corner was a little darker than the northwest corner. He said this goes away from symmetry for the two west corners but he thinks it may be within reason to have one light at the northwest corner and two lights at the southwest corner. Board members did not have further questions. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and

one person came forward.

Mr. Adam Tomlinson said he is the neighbor that lives to the north and he owns both 260 and 280 Greenbriar Ct., Worthington, Ohio, which runs along the fence line on the north side of the parking lot. He said he has been a big supporter of the Fresh Thyme development, but very disappointed with InSite's ability and posturing with their follow through on many of the issues still present almost a year after the store has opened. Mr. Tomlinson said he has been coming to these meetings since April of 2014, and he has become tired and frustrated with this process since problematic issues are still going on into 2016. He feels that InSite continues to waste the residents and City staff time dealing with these issues. Mr. Tomlinson said the main difference between his property and the property that runs along North Street is that his property sits a bit lower and he sees the bottoms of the LED lights that are on twenty-four hours a day. He said he can see sixteen lights in the parking lot from his back porch and before this property was developed he could only see four. He said he believed that this development was going to be a quiet and beautiful property that was supposed to be a park like setting and now he is being asked to accept twice as much lighting. There will be four additional lights. He said he also sees all of the face bulbs along the entrance of the store. Mr. Tomlinson asked Mr. Brown to refer back to specific photograph which showed light still being spilled onto his property. He feels the light may be bouncing off of the fence. He said although he is delighted to have another twelve to sixteen inches in the back of their property the original designs were for a four and a half foot bed to provide for additional screening from the Liberate lights. That was not able to happen since the fence is within twelve inches of the curb. Mr. Tomlinson said they have no way to screen their property from the light. He said after five o'clock in the evening people normally the only parking used is the first five or six spots. Mr. Tomlinson feels a single bollard would provide enough lighting for the parking lot, while low enough so he would not have to see the light from his yard. Mr. Tomlinson asked Mr. Gebauer if the light is going to look the same as the lights do now. Mr. Coulter explained the lamps that are there now are LED's and the new lamps will be lowered and replaced with warmer lights.

Mr. Foust asked Mr. Tomlinson if he had a suggestion that would help meet his needs. Mr. Tomlinson asked how the current plan matches up with what was originally approved. Mr. Brown explained the difference to Mr. Tomlinson while showing photographs on the overhead screen. The lights were installed with two foot concrete bases and ended up being two feet taller than they were supposed to be. Mr. Tomlinson said one of his suggestions would be to have the lights installed as originally approved in the plan. He also suggested adding more bollards and the removal of some of the overhead lights. That way he would not have to see the underside of all the lights whether warmer in color or not. Mr. Sauer asked if the distribution of light would be compromised if the lights were lowered to thirteen feet instead of fifteen feet and Mr. Coulter said yes, significantly.

Mr. Gebauer said they had a challenge with their general contractor with lighting and other projects not being installed per plan. The general contractor subsequently abandoned the project which has created problems that InSite is currently cleaning up. He continued to say they are proposing to leave the bases as installed with black paint, to avoid the disruption of ripping them out of the ground and having concrete trucks coming in to replace the bases. Mr. Coulter said the Board

does not have a problem with that. Mr. Foust said no matter what the footcandles say at the edge of the property, if there is lighting next door, you will always see it. Mr. Foust asked if the lighting was set up on one or two circuits so that you could shut off the lights in the middle of the night. He realizes that is a security concern and part of the reason for the installation of the lights. Mr. Gebauer said the lights are on one circuit, but they did rewire the sign to be on a different circuit. The hours of operation are from 7:00 a.m. to 10:00 p.m. and then the cleaning crew comes in after closing, and the prep workers arrive as early as 4:00 a.m. If the lights are turned off when not in use that time period would only be a couple of hours. The cleaning person is at the store until around midnight, and then the prep workers arrive at 4:00 a.m. Mr. Coulter and Mrs. Holcombe expressed concern if the lot was completely dark. Mr. Tomlinson said he understood the question to be if random lights were turned off for a certain period of time. Mr. Tomlinson made reference to a 2014 email that the lights were to be turned off after closing. Mr. Coulter said they would have to go back and check. He remembers the discussion but cannot remember whether some of the lights were to be turned off or all the lights. Mr. Coulter said some lights need to be left on for security reasons. Mr. Tomlinson said he does not support the parking lot being totally dark either, but also does not support a circus of lights.

Mr. Reis said he does not believe that any more lights are needed along the drive. Mr. Coulter said he agreed and that he was enamored with the light provided by the fixture on the AEP pole. Mr. Coulter asked if it is possible to circuit half of the lights in the back parking lot to go off after 10:00 p.m. and leave the other half on for safety reasons. Mr. Gebauer said he could look into that. Mr. Coulter asked if there was anyone else that would like to speak and one more person came forward.

Mr. Chris Johnson stated he works for Chapel Electric and his address is 12257 Dayton-Farmersville Rd., Farmersville, Ohio. Mr. Johnson said he would like to make a suggestion to use LED lights that have motion sensors and are dimmable when there is not any activity, that way the lights would not be constantly on, or the use of reflectors on the poles might help shield the lights. Mr. Coulter said he prefers not to use motion sensors.

Mr. Brown said a letter from Mr. William Brown who lives at 60 W. North St. was forwarded by e-mail to the Board and he wanted to make sure it was received. All of the Board members said they received a copy of the letter. Mr. Brown explained with the exception of the addition of the bollards, and the lights being lowered, they will have what was originally planned. Mr. Coulter said he would like to add the caveat that fifty percent of the lights are switched off after closing. Mrs. Holcombe explained the change in the light color and the lowering of the lights will make a big difference to Mr. Tomlinson's yard. Mr. Gebauer said he will investigate as to whether fifty percent of the lights can be turned off after closing. Mr. Gebauer said he did not know whether there would be a big difference between switching all of the lights to fifty percent off after closing or just turning fifty percent of the lights completely off would be better. Mr. Coulter said the motion could be crafted to reflect that option. There were no other speakers.

Motion:

Mr. Reis moved:

THAT THE REQUEST BY INSITE REAL ESTATE, LLC FOR APPROVAL TO AMEND CERTIFICATE OF APPROPRIATENESS NO. AR 10-16 FOR THE PROPERTY AT 933 HIGH ST., AS PER CASE NO. AR 21-16, DRAWINGS NO. AR 21-16, DATED JANUARY 28, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE FOLLOWING AMENDMENTS:

- That the bollards proposed be located in a manner that does not interfere with car doors;
- That the bollards proposed on the northwest be one and on the southwest be two;
- That the lights along the driveway on the north side proposed tonight be eliminated;
- That the lighting at the rear of the parking lot be dimmed or reduced during off business hours

Mr. Sauer seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

Mr. Tomlinson was also concerned about the erosion that is now occurring on his property that is due to the construction of the parking lot. There still has not been a resolution to this issue, but he understood that someone has been retained to keep a watch on the erosion on the western side of the parking lot but he is wondering what can be done to protect his side of the property. Mr. Brown said that City staff is continuing to work with Mr. Tomlinson on this issue. Mr. Myers said he took note of Mr. Tomlinson's issue.

c. Satellite Dish – **544 High St. (Jonathan & Laura Knape) AR 22-16**

Findings of fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This property was approved to return to a residence in 2011 after being used as Finocchi Photography's studio and office for many years. The structure is Craftsmen style with Four Square influence, and was originally constructed in 1919 as a house. It is a contributing building in the Worthington Historic District. An addition was added to the rear in 2012. Last year, the owners received approval to convert the rear yard for a parking area to a fenced-in yard with a pergola, patio, and landscaping.

This application is for location of a previously placed satellite dish.

Project Details:

1. The dish was installed several years ago and was clearly shown in pictures reviewed by the

ARB in 2012 as part of the rear yard changes. The satellite dish was never mentioned as needing approval by staff, Board members or the public until a recent list of satellite dishes in Old Worthington was submitted by a resident. Approval is now sought.

2. Mounted on a pole close to the ground, the dish is approximately 18” in diameter and gray in color. Placement is toward the southwest sky.
3. Existing low shrubs and grasses partially screen the dish from view.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Satellite dish placement should be in a location that minimizes the visual impact as seen from the right-of-way.

Recommendation:

Staff is recommending *approval* of the application. The satellite dish has been in this location for years, was not noticed in a previous application, and the color and landscaping help to screen the equipment.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Jonathon Knappe stated his address is 544 High St., Worthington, Ohio. Mr. Coulter said he would rather see the satellite dish stay in the current location than have it placed on the roof, and keep the vegetative screening surrounding the dish. Mr. Foust said he would be in favor of any additional screening that Mr. Knappe could do. Mr. Knappe said he could add another arborvitae to help hide the dish. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

Motion:

Mr. Sauer moved:

THAT THE REQUEST BY JONATHON KNAPE FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS TO RETAIN A SATELLITE DISH IN ITS CURRENT LOCATION AT 544 HIGH ST., AS PER CASE NO. AR 22-16, DRAWINGS NO. AR 22-16, DATED FEBRUARY 10, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE UNDERSTANDING THAT TWO ARBORVITAE WILL BE ADDED TO HELP SCREEN THE DISH.

Mrs. Lloyd seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

d. Satellite Dish – **601 Oxford St.** (Andrew Smullen) **AR 23-16**

Findings of fact & Conclusions

Background & Request:

This Craftsman house was constructed in the early 1900's, with additions built in 2010 and 2012. The house is a contributing building in the Worthington Historic District. Approval of a satellite dish is requested. The dish has been in place about 2 years.

Project Details:

1. The gray dish is approximately 18" in diameter.
2. Placement is on the side of the house on an addition, partially screened by the original house. The location is approximately 60' from the front property line.

Land Use Plans:Worthington Design Guidelines and Architectural District Ordinance

Satellite dish placement should be in a location that minimizes the visual impact as seen from the right-of-way.

Discussion:

Mr. Coulter asked if the applicant was present. No applicant was available for discussion. Mr. Brown said he was comfortable moving forward with the application. Mr. Coulter asked if there was anyone present that wanted to speak either for or against the application and no one came forward.

Recommendation:

Staff is recommending *approval* of the application, as the satellite dish is not readily seen from the right-of-way.

Motion:

Mr. Sauer moved:

THAT THE REQUEST BY ANDREW SMULLEN FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS TO RETAIN A SATELLITE DISH IN ITS CURRENT LOCATION AT 601 OXFORD ST., AS PER CASE NO. AR 23-16, DRAWINGS NO. AR 23-16, DATED FEBRUARY 10, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mrs. Holcombe seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, nay. The motion was approved.

Due to the length of the meeting, Mr. Coulter said he wanted to switch the order of the next agenda item since there were children in the audience and the meeting was running late into the evening.

f. Fence – **687 Evening St.** (The Fence Guy/Stotzer) **AR 25-16**

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This single story house is on the west side of Evening St., south of W. Granville Rd. The property is 85' wide and an average of 158' deep. The owners would like to enclose the rear of the property with a fence.

Project Details:

1. The proposed cedar picket fence is 48" high. Picket width would be 3 ¾" and there would be 3" between pickets. In the application, there is also mention of a 72" privacy fence as that is what the property owners would prefer.
2. It seems the cedar would be left to weather naturally.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Fencing should be open in style; constructed with traditional materials; 3' to 4' in height; in the back yard; and of simple design, appropriate for the house style. Design and materials should be compatible with the existing structure.

Recommendations:

Staff is recommending *approval* of the application for the 48" fence with 3" spacing between pickets. A 6' privacy fence would not meet the Guidelines and is not appropriate for this property.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Jeff Monebrake stated his address is 2501 Rome Corners Rd., Galena, Ohio, and he is representing The Fence Guy. Mr. Foust said he wanted to clarify that what is being voted is different than what is shown in the photograph. The pickets in the photograph are not spaced at 3 inches. What is being voted on is the language and not the photograph. Mr. Reis asked if the fence would be parallel to the existing fence. Ms. Shelley Stotzer stated her address is 687 Evening St., Worthington, Ohio. Ms. Stotzer said her neighbors are going to take their fence down. Mr. Brown stated the neighbors will need approval to remove their fence. Ms. Stotzer said she would let her neighbors know that. She said their fence is in pretty bad shape. Board members had no other questions. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

Motion:

Mr. Reis moved:

THAT THE REQUEST BY THE FENCE GUY ON BEHALF OF SHELLEY STOTZER FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL A 48" OPEN STYLE PICKET FENCE AT 687 EVENING ST. AS PER CASE NO. AR 25-16, DRAWINGS NO. AR 25-16, DATED FEBRUARY 11, 2016, BE APPROVED BASED ON THE FINDINGS

OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mr. Sauer seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

e. Satellite Dish – **49 E. North St.** (Judith Hochmuth) **AR 24-16**

Findings of fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

Construction of this vernacular house was in 1956 and it has been owned by National Church Residences since 1975. The house is a contributing building in the Worthington Historic District. The renter in this house has lived there for almost 3 years. When she moved in, she subscribed to her current satellite TV service and replaced a dish that had been in the same location.

Project Details:

1. The gray dish is approximately 18” in diameter.
2. Placement is on the roof toward the northwest corner of the house.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Satellite dish placement should be in a location that minimizes the visual impact as seen from the right-of-way.

Discussion:

Mr. Coulter asked if the applicant was present. Ms. Judith Hochmuth stated her address is 49 E. North St., Worthington, Ohio. Mr. Foust recommended the satellite dish be removed from the front and be installed on the rear portion of the roof. He said he realizes this is an inconvenience for the home owner and a lot of the dishes have been installed without any regulation but he agrees with the City’s recommendation to correct these situations. Mr. Holcombe agreed. Ms. Hochmuth said the dish was installed two years before she moved in. The dish she has now is even smaller than the original dish. Mr. Sauer suggested Ms. Hochmuth should discuss this matter with her landlord and ask for their help in getting the dish moved to the back. Mr. Myers said he believes that the service company for the dish will probably move the dish for free. Mrs. Holcombe explained there are a lot of satellite dish applications coming before the Board and they have to set a precedent. The Board cannot allow satellite dishes in the front of the house. Mr. Brown said he is working with the satellite companies to let them know that if they plan to install any dishes in Old Worthington they will need to come before this Board for permission before installing anything. Dishes cannot be in the front yard or setback area either. Mr. Coulter asked if there was anyone that wanted to speak either for or against this application and one person came forward.

Ms. Angela Strous stated her address is 58 E. North St., Worthington, Ohio. She said she realizes what she is going to say goes against what the Board is trying to do, but she just wanted to let them know that the satellite dish in the front part of the house does not bother her. There were no other speakers.

Recommendation:

Staff is recommending *approval* of the application. The dish has been in this location for many years and was not noticed until included on the list of satellite dish locations submitted by a resident. If a new satellite dish is placed, a less visible location should be sought.

Motion:

Mr. Sauer moved:

THAT THE REQUEST BY JUDITH HOCHMUTH FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS TO MOVE A SATELLITE DISH FROM ITS CURRENT LOCATION AT 49 E. NORTH ST., AS PER CASE NO. AR 24-16, DRAWINGS NO. AR 24-16, DATED FEBRUARY 10, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE UNDERSTANDING THAT THE DISH WILL BE PLACED ON THE REAR PORTION OF THE HOUSE.

Mrs. Holcombe seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

g. Window Replacement – **50 E. Wilson Bridge Rd.** (Bob Patel/Econo Lodge) **AR 26-16**

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

The Econo Lodge was originally constructed in 1973 and has only had minor modifications over the years. The original single-paned double-hung windows had white aluminum frames. In December of 2015, a permit was issued to allow replacement of the windows. The new windows were to look just like the old ones. Upon inspection it was discovered the new windows consisted of fixed panes of glass in vinyl frames. Also, the second floor windows did not meet building code requirements. Approval is now sought to allow the already replaced first floor windows to remain, and to allow replacement of the second floor windows.

Project Details:

1. The previous windows are shown in a picture in the packet. They were all white metal double hung, with larger openings having 2 windows.
2. The new windows are all fixed single pane vinyl windows. The owner would like the first

floor windows to stay as they were installed. Due to the way the building is constructed, the second floor windows must be operable.

3. Proposed for the second floor are vinyl slider windows in the larger openings, and double hung in the smaller openings.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Use traditional sizes, proportions and spacing for windows. If windows are missing or must be replaced due to extensive deterioration, use new windows of the same size, design and profile (cross-section), to the greatest extent possible; wood windows are preferred. This means that if the old windows were 1-over-1 double-hung sash, the replacements should look the same. The new windows should fit the window openings exactly, without requiring extra wood or metal infill panels to fill the opening; and the dimensions of the framing, sash members, and other elements should match the old dimensions. Consider replacing only the sash if the old window frame is still sound. If replacement windows are not identical in size and style to the existing, this could trigger building code requirements for light and ventilation.

Recommendations:

Staff is recommending *denial* of this application. Although the new and proposed windows are not totally out of character with the building, the guidelines recommend keeping the look of the original windows if possible. The previous windows definitely have a different look and feel.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Jake McKenna said is the Field Service Manager for Lowe's and his address is 1051 Las Vegas Blvd., Columbus, Ohio. Ms. Becky Sevens stated that she works for Lowe's in Chillicothe, Ohio, and her address is 867 N. Bridge St., Chillicothe, Ohio. Mr. Coulter asked why the approved like for like windows were not installed. Mr. McKenna explained they had a salesman error on the style of the windows that were sold. He said to answer Mr. Coulter's question as to why there are different styles of windows, as shown in a photograph, and pointing to a small window and a double hung window that had yet to be replaced because those two windows were damaged during shipment. On the bottom floor they were asking for the picture style windows and now need to have the sliding style of windows for the second floor. Mr. McKenna stated the salesman read in the Code that the second floor windows need to be a sliding window in the event a person needs to get out of a room.

Mr. Sauer asked Mr. McKenna if the double hung windows as shown in the photograph on the upper floor would not meet the code. Mr. McKenna said that in the windows that are available for order, it is their interpretation that the required amount of square footage in the normal operation of the opening would not meet the five square foot requirement in terms of emergency egress. Mr. Sauer said in order to replace like for like that would not meet the code and Mr. McKenna said that is correct. The salesman thought he was replacing like for like but he made an error with that agreement.

Mr. Coulter asked if a muntin bar be added to a window that meets Code requirements. Ms. Sevens

said that window looks like the double hung window that is shown in the photograph, but there would not be horizontal bars. Mr. Reis explained the muntins would actually be false. Mr. Sevens said the window could possibly malfunction if the window was ever tampered with when someone tries to get out of the window. Mr. McKenna said they order from a company called Atrium. He said he would be happy to see if that type of window is available with a visual effect.

Mr. Sauer asked the Board members how they felt having different windows on the first floor, or if they should all be the same. Mrs. Lloyd asked for clarification and if there would no longer be double hung windows on the building, and Mr. McKenna said correct. Mrs. Holcombe asked what would happen to the single windows and Mr. McKenna said the single windows could also be sliders. Mr. Foust asked for someone to verify the Code information with the fire department. Mr. Foust said he believes the requirement is to have enough room for a fire fighter to fit through the window with all of his equipment on. He said he believes the physical opening in the wall needs to be more than five square feet. Mr. Coulter suggested tabling the application in order to have the discussion with the fire department and find out what their requirements are, and get their agreement, and then come back to discuss the matter with the Board members. Mr. McKenna asked the Board members as to what type of styles would be acceptable in the event the like for like windows are not available. Would picture and slider windows be acceptable? Mr. Sauer said he would like to see the same window everywhere. Mrs. Holcombe said she prefers the double hung style unless they cannot meet the Code. Mr. Sauer said what he is looking at would be fine. Mr. Brown said he would check with the City's Chief Building Official and Chief Highly tomorrow to answer Mr. Foust's question. Mr. McKenna said part of Mr. Patel's business is shut down at the moment while waiting for the windows. Mr. Bob Patel stated his address is 50 E. Wilson Bridge Rd., Worthington, Ohio. Mr. Patel requested to table the application in order to obtain additional information.

Mr. Reis moved to table the application and Mr. Sauer seconded the motion. Mr. Brown called the roll. All Board members voted, "Aye." The application was tabled.

h. Garage and Renovation – 570 Evening St. (Todd Bradham) AR 27-16

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This house is a 1940 Colonial Revival style with a one-car attached garage on an 88' wide lot. The house is a contribute building in the Worthington Historic District. The homeowner would like to add a detached two-car garage to the south, and convert the existing attached garage into living space.

Project Details:

1. The proposed garage is 24' wide x 28' deep, and would be located 5' east of the front of the house; 5' south of the house; and 8' from the south property line. Removal of the

existing driveway and entrance and construction of a new drive and entrance are proposed. A more accurate site plan has been requested.

2. The proposed garage would be 1 ½ stories with two single carriage style doors with arched windows at the top. Proposed is lap siding, either wood or fiber cement, painted to match the house, and asphalt shingles to match the house. Trim elements would be complementary to the trim on the house. On the front gable, cedar or fiber cement shakes are proposed.
3. Conversion of the existing garage would consist of installation of arched windows in the existing door similar to the windows on the new garage doors.
4. A variance for total accessory building area will be needed due to usable space on the second floor of the new garage, and the presence of a shed. As long as the existing garage is converted to living space as part of the same permit application, it would not have to be counted toward total accessory building area.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

The Guidelines call for outbuildings to be compatible in appearance to the house they accompany. The ARB reviews the compatibility of design and materials.

Recommendation:

Staff is recommending *approval* of this application, except lap siding instead of shakes on the front gable of the structure would be more complementary to the house.

Discussion:

Mr. Reis said he thinks the elevation may need to be revised. He said he does not believe there will be enough room for a two-car garage with twenty-one feet of space in between the trees and the house.

Mr. Coulter asked if the applicant was present. Mr. Todd Bradham stated his address is 570 Evening St., Worthington, Ohio. Mr. Coulter asked what the square footage would be in the work room area. Mr. Bradham said he would like to match the house. Mr. Coulter said that he likes the look of the garage but where they are struggling is the square footage of the structure. He said if Mr. Bradham decides to build out the entire second floor that would be 1176 square feet, and require a variance from the Board of Zoning Appeals. Mr. Reis suggested building a half space of storage above the garage and leave the area open like an attic. Mr. Sauer asked how many square feet is the shed and Mr. Bradham said approximately one hundred and eighty square feet. Mr. Sauer asked if Mr. Bradham is going to save the trees and Mr. Bradham said he at least plans to the Pine tree to the south; and hopes the Pine tree to the north as well. Mr. Sauer suggested sliding the garage back a little further to have more room to get into the garage. Mr. Bradham said he had the same thought. Mr. Coulter asked Mr. Bradham if he would be using the same materials as the house to build the garage and Mr. Bradham said yes, lap siding. Mrs. Lloyd asked if the windows on the garage will match the house and Mr. Bradham said yes. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

Motion:

Mr. Reis moved:

THAT THE REQUEST BY TODD BRADHAM FOR A CERTIFICATE OF APPROPRIATENESS TO CONSTRUCT A NEW GARAGE AND RENOVATE THE HOUSE AT 570 EVENING ST., AS PER CASE NO. AR 27-16, DRAWINGS NO. AR 27-16, DATED FEBRUARY 11, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE UNDERSTANDING THAT THE WINDOWS ON THE GARAGE WILL MATCH THE HOUSE INCLUDING THE GRIDS ON THE TOPS OF THE WINDOWS, AND THE HOMEOWNER HAS THE OPTION OF USING ONE OR TWO GARAGE DOORS.

Mrs. Holcombe seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

i. New Siding – 117 W. Stafford Ave. (Mark Maxwell) AR 28-16

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

This house is a 1940 Colonial Revival style with a two-car detached garage. Both structures are contributing buildings in the Worthington Historic District. In the early 1990's, the existing siding was installed over the original wood siding, which was wider, and an addition altering the main house gable was constructed. In the mid-1990's, an existing one-car garage was demolished and a two-car garage was constructed. In 2014, the siding on the garage was replaced due to damage. The property owner would now like to install new siding on the house and garage.

Project Details:

1. The existing house siding is 3" Dutch lap vinyl, and garage siding is 4" Dutch lap vinyl, both of which are hollow.
2. The owners would like to replace the siding on the house with Craneboard 6" insulated vinyl lap siding. The garage is proposed to have 5" vinyl lap siding that is not insulated. The product does not come larger than 5" in the non-insulated version, and the owners prefer non-insulated on the garage.
3. Two color choices have been offered, Rye and Cypress, and both would have the same finish. Samples are needed.
4. The owners are planning to keep the fish scale shingles on the house and garage gables, and paint them to match the new siding.

Land Use Plans:**Worthington Design Guidelines and Architectural District Ordinance**

If replacement siding is installed over or in place of wood siding, it should be located only where the original siding was used. Avoid removal of or damage to window and door surrounds, ornamental elements such as eave brackets, and decorative panels or shingled areas. The new siding should match the thickness and width of the old as closely as possible. Consider removal of existing replacement siding, including cement-asbestos, but only if the underlying original siding is in good condition or can be repaired. The Guidelines call for outbuildings to be compatible in appearance to the house they accompany. The ARB reviews the compatibility of design and materials. Mr. Brown asked if the windows on the garage would have the same grids and Mrs. Holcombe said yes. Mr. Bradham will also have the option of using one garage door instead of two.

Recommendation:

Staff is recommending *approval* of this application. Although the new siding is wider than the existing, it is similar to the look of the original siding on the house. The 1” difference in siding width between the house and garage is acceptable.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Mark Maxwell stated his address is 117 W. Stafford Ave., Worthington, Ohio. Mr. Maxwell said they will be using the same narrow siding their neighbors have because they like the look of their house. Mr. Foust said he remembers being on the Board when this house was approved for the first time. He believes since the original house had a wider reveal that the house should remain with a wider reveal. Board members had no other questions. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

Motion:

Mr. Reis moved:

THAT THE REQUEST BY CARLA & MARK MAXWELL FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL NEW SIDING ON THE HOUSE AND GARAGE AT 117 W. STAFFORD AVE. AS PER CASE NO. AR 28-16, DRAWINGS NO. AR 28-16, DATED FEBRUARY 12, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mrs. Lloyd seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

- j. EV Charging Station – **90 E. Wilson Bridge Rd.** (GoSpace LLC/AAA Ohio Auto Group)
AR 29-16

Findings of Fact & Conclusions

Mr. Brown reviewed the following from the staff memo:

Background & Request:

The AAA building was constructed in the mid-1970's and has been well maintained. This request is for installation of an Electric Vehicle (EV) charging station.

Project Details:

1. The station is proposed in front of the building, at least 100' from the N. High St. right-of-way as is required by Code. Placement would be at the head of a parking space.
2. Dimensions of the station are 36" wide x 30" deep x 72" high.
3. The EV charging station would be white, mounted on a concrete pad, and protected with green bollards in the front.

Land Use Plans:

Worthington Architectural District Ordinance

Accessory structures should not be designed as to be detrimental to the interests of the District.

Recommendation:

Staff is recommending *approval* of this application, as the proposed EV charging station placement is appropriate at this location.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Brian Pratt stated he is representing AAA, and his address is 90 E. Wilson Bridge Rd., Worthington, Ohio. Mr. Chris Johnson stated he is representing Gospace and his address is 12257 Dayton Farmersville Rd., Farmersville, Ohio. Mr. Coulter asked why there were two nozzles on the unit and Mr. Pratt explained the two nozzles are different types of connections for different types of cars. Mr. Sauer asked if there was a sidewalk in the same area where this would be located. Mr. Johnson said the charging station will be between the sidewalk and the parking lot. Mrs. Lloyd asked what is prompting the installation of this charging station and Mr. Johnson said there has been an increase in the demand because people are purchasing electric vehicles. He said they are also checking on CNG charging stations as well. There will be a hook up fee as well as charging per kilowatt hour. Board members had no other questions. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

Motion:

Mrs. Holcombe moved:

THAT THE REQUEST BY GOSPAC LLC ON BEHALF OF AAA OHIO AUTO GROUP FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL AN EV CHARGING STATION AT 90 E. WILSON BRIDGE RD., AS PER CASE NO. AR 29-16, DRAWINGS

NO. AR 29-16, DATED FEBRUARY 2, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mr. Reis seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Reis, aye; Mrs. Lloyd, aye and Mr. Foust, aye. The motion was approved.

D. Other

Mr. Brown reminded the Board members to start using their city email addresses. He also mentioned that an email was sent to them with the City's announcement of a new tenant for the Kilbourne building. Sew To Speak will be moving into the northern portion of the Kilbourne Building in addition to Sweet Carrot as soon they are approved by City Council. Another press release also went out regarding Stafford Village and what the City knows about the new ownership and their future plans.

E. Adjournment

Mr. Reis moved to adjourn the meeting at 11:06 p.m. and Mrs. Holcombe seconded the motion. All Board members voted, "Aye." The meeting was adjourned.