



**BOARD OF ZONING APPEALS**  
**-AGENDA-**  
**Thursday, April 6, 2017 at 7:00 P.M.**

Louis J.R. Goorey Worthington Municipal Building  
The John P. Coleman Council Chamber  
*6550 North High Street*  
*Worthington, Ohio 43085*

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**A. Call to Order - 7:00 pm**

1. Roll Call
2. Pledge of Allegiance
3. Approval of minutes of the March 2, 2017 meeting
4. Affirmation/swearing in of witnesses

**B. Item of Public Hearing**

1. **Extension of Construction Completion Period - Covered Deck & Patio - 555 Evening St. (Susan & Dennis Kerr) BZA 09-17**
2. **Variance – Side Yard Setback – Fence – 346 Colonial Ave. (Rick Harvey) BZA 10-17**
3. **Variance – Accessory Structure Area – New Garage – 266 E. Granville Rd. (Debbie Cameron & Bill McCarthy) BZA 11-17**

**D. Other**

**E. Adjournment**



March 31, 2017

To: Members of the Board of Zoning Appeals

From: Don Phillips, Chief Building Inspector

Subject: Staff Comments for the Meeting of April 6, 2017

## **B. Items of Public Hearing**

### **1. Extension of Construction Completion Period – Covered Deck & Patio – 555 Evening St. (Susan & Dennis Kerr) BZA 09-17**

Findings of fact:

1. Building Permit 21356 was issued on August 10, 2015, to construct a covered deck and patio. The building permit expired on February 10, 2017.
2. The applicant is anticipating completing the work by June 15, 2017.
3. Staff has not received any inquiries regarding the state of construction.

The following conclusions are presented:

1. It would be reasonable to extend the permit to August 10, 2017, allowing adequate time to complete the project.

The following motion is appropriate:

**THAT THE REQUEST BY SUSAN AND DENNIS KERR FOR AN EXTENSION OF CONSTRUCTION COMPLETION PERIOD TO AUGUST 10, 2017 TO COMPLETE THE WORK AUTHORIZED BY BUILDING PERMIT 21356 AT 555 EVENING STREET, AS PER CASE NO. BZA 09-17, DRAWINGS NO. BZA 09-17 DATED FEBRUARY 21, 2017, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

## **2. Variance – Side Yard Setback – Fence – 346 Colonial Ave. (Rick Harvey) BZA 10-17**

### Findings of fact:

1. This property is an existing lot of record in the R-10 district where the front yard setback requirement is 30 feet. Corner lots are permitted to reduce the adjacent setback to 20 feet. Fencing is not permitted between the right-of-way and the building setback line. Fencing within 10 feet of the right-of-way cannot exceed a height of 2 feet 6 inches above the street grade.
2. The applicant received a variance on May 7, 2015 to replace two portions of split rail fencing with a similar style wooden fencing. One portion was to be erected 3 feet from the Greenwich Street right-of-way, and the other was to be erected 6 feet from the Greenwich Street right-of-way. In a conversation between staff and the applicant, the fences were erected at 3 feet and 6 feet from the sidewalk. The applicant is requesting the existing fencing be permitted along the Greenwich Street right-of-way.
3. The applicant is proposing to connect the two sections of existing fencing with 50 inch to 60 inch tall, open style fencing. The fencing will be along the Greenwich Street right-of-way. The requested variance is 20 feet.
4. A portion of the grade from Greenwich Street is relatively flat with a 6 inch curb and the proposed fence is approximately 56 inches above the Greenwich Street grade nearer the south portion of the property. Another portion appears to rise approximately 24 inches above the street, with the proposed top of fence approximately 84 inches above the street at the north property line. The requested variance for fence height is approximately 26 inches to approximately 54 inches moving from south to north.

### The following conclusions are presented:

1. The property is on a corner with additional setback requirements not typically required on other properties in the district, creating a practical difficulty. In this particular case, the property is more narrow than typically found in the district, the proposed fence is an open style fence, and these factors mitigate the substantial variance request for setback.
2. The fencing is a substantial distance from the Colonial Avenue and Greenwich Avenue intersection, is an open style fence, and should not cause intersection sight distance issues. These factors mitigate the substantial fence height variance request.
3. The essential character of the neighborhood should not be substantially altered.
4. The delivery of governmental services should not be affected.

The following motion is recommended:

**THAT THE REQUEST BY RICK HARVEY FOR A VARIANCE FROM CODE REQUIREMENTS SIDE YARD SETBACK AND FENCE HEIGHT TO ERECT FENCING AT 346 COLONIAL AVENUE, AS PER CASE NO. BZA 10-17, DRAWINGS NO. BZA 10-17 DATED MARCH 7, 2017, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

**3. Variance** – Accessory Structure Area – New Garage – **266 E. Granville Rd.** (Debbie Cameron & Bill McCarthy) **BZA 11-17**

Findings of fact:

1. This property is in the R-10 district where the total allowable accessory building area is 850 square feet.
2. The existing dwelling has an attached 473 square foot garage.
3. The applicant is proposing to construct an 14 foot by 28 foot, 2 story garage, 784 square feet in area. The total proposed accessory building area is 1,257 square feet. The requested variance is 407 square feet.
4. The property is subject to, and the garage has been approved by, the Architectural Review Board.

The following conclusions are presented:

1. The intent of the accessory building area limit is to prevent imposing accessory buildings overshadowing the main dwelling. In this particular case, the proposed garage does not overshadow the main dwelling.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

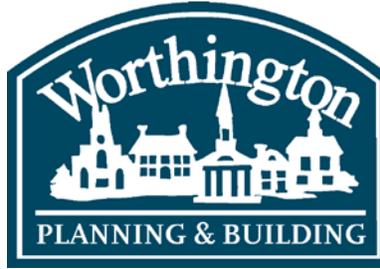
The following motion is recommended:

**THAT THE REQUEST BY DEBBIE CAMERON AND BILL MCCARTHY FOR A VARIANCE FROM CODE REQUIREMENTS FOR TOTAL ACCESSORY BUILDING AREA TO ALLOW THE CONSTRUCTION OF A DETACHED GARAGE AT 266 EAST GRANVILLE ROAD, AS PER CASE NO. BZA 11-17, DRAWINGS NO. BZA 11-17 DATED MARCH 17, 2017 BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

## Reference

Portions of Section 1129.05

- (b) Exceptions. In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:
  - (6) Extension and construction completion periods. The Board may authorize, for good cause shown, extension of the time period provided for the completion of structures in the Building Code. However, the Board may not authorize extension of the period for greater than a one-year extension of time subject to one-year renewals and such conditions as well safeguard the public health, safety, convenience and general welfare.
- (c) Area Variances. The Board shall have the power to hear and decide appeals and authorize variances from the provisions or requirements of this Zoning Ordinance. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objective of this Zoning Ordinance. The Board may grant a variance in the application of the provisions of the Zoning Ordinance when it is determined that practical difficulty exists based on the following factors:
  - (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
  - (2) Whether the variance is substantial;
  - (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
  - (4) Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage);
  - (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
  - (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and,
  - (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.



MINUTES OF THE REGULAR MEETING  
BOARD OF ZONING APPEALS

March 3, 2017

**A. Call to Order – 7:00 p.m.**

1. Roll Call - the following members were present: M. Coulter; B. Seitz; D. Falcoski; L. Reibel; C. Crane. Also present were D. Phillips, Chief Building Inspector and L. Brown, Director of Planning & Building.
2. Pledge of Allegiance
3. Approval of minutes of the February 3, 2017. Mr. Coulter moved to approve the minutes, seconded by Mr. Seitz. All members voted, “aye” and the minutes were approved.
4. Affirmation/swearing in of witnesses.

**B. Items of Public Hearing – Unfinished**

**1. Variance – Front Yard Setback – Driveway Gate – 173 E. Wilson Bridge Rd. (Harold Careins) BZA 03-17**

Mr. Seitz moved to remove this item from the table, seconded by Mr. Falcoski. All members voted, “aye” and the item was removed from the table.

Mr. Phillips reviewed the staff memo:

Findings of fact:

1. This property is in the R-10 district along a regional thoroughfare where the minimum front yard requirement is 50 feet.
2. The 2005 Worthington Comprehensive Plan depicts the Worthington Thoroughfare Plan for the entire City and identifies Wilson Bridge Road as a regional thoroughfare, requiring larger setbacks related to the classification of the street. Larger setbacks are needed for future improvements, such as right-of-way widening, sidewalks, storm water improvements, streets, paths, and utilities.
3. The property is within the 2011 Wilson Bridge Corridor Study which recommends office development on the south side of East Wilson Bridge Road.
4. The 2015 Wilson Bridge Corridor Enhancement Plan recommends streetscape improvements throughout the corridor in addition to a new multi-use path on the

south side of East Wilson Bridge Road. The existing right-of-way is 14.5 feet from the back of the street curb and the City will be purchasing 4.5 feet of additional right-of-way to allow for the construction this path. This area will also include street trees, streetlights and other enhancements. This proposed path will connect High Street to the Community Center and onto the Northeast Gateway, the project name to realign the Wilson Bridge Road, Worthington-Galena road, and Huntley Road intersection.

5. The 2016 Wilson Bridge Corridor Zoning created categories for the corridor, recommending WBC-2, Professional Office, for this portion of East Wilson Bridge Road for commercial office development on this site.
6. Staff had many discussions with the property owner about the future of the corridor including written correspondence that the property is recommended for commercial development.
7. Fence Permit 1010 was issued on July 13, 2016 based upon a 14.5 foot long gate 35 feet from the East Wilson Bridge Road right-of way.
8. On October 11, 2016, a final inspection was conducted of the gate and at that time the gate did not appear to be 35 feet from the right-of-way. While gathering the variance application form for the applicant, it was discovered by the Building Inspector that Wilson Bridge Road is a regional thoroughfare. A sketch of the site was prepared for the applicant to indicate the future right-of-way to be purchased, the approximate location of the gate as constructed, the 30 foot front yard setback for R-10 districts, the 35 foot proposed gate location, and the 50 foot front setback for the regional thoroughfare.
9. On October 12, 2016, finding that Fence Permit 1010 was issued in error, the permit was revoked by the Building Inspector.
10. Staff from the Department of Service and Engineering located the property pins and determined the right-of-way is 14.5 feet from the back of the street curb and the gate is 34 feet from the back of the street curb, or 35 feet from the edge of pavement, or 19.5 feet from the right-of-way.
11. The applicant is proposing to allow the gate to remain, 19.5 feet from the East Wilson Bridge Road right-of-way. The requested variance is 30.5 feet.

The following conclusions are presented:

1. The future for the Wilson Bridge corridor including the purchase of future right-of-way along the south side of East Wilson Bridge Road for a future multi-purpose path is forthcoming but no timeframe is foreseeable at the moment. In preparing

for this future, ordinances were adopted by City Council and eventually rezoning will occur as redevelopment begins, perhaps decades in the future. In the meantime, current requirements are being enforced. It was unfortunate the gate did not appear to be installed per the approved plan otherwise the approval error may not have been caught. With the discovery that the right-of-way is already 14.5 feet from the back of curb, and if the owner agrees to sell an additional 4.5 feet of right-of-way to the City, it appears the gate should not interfere with these long term development plans.

2. The lots are large with many dwellings on the south side, and office buildings on the north side, set back from the right-of-way. Since the gate is relatively small in relation to the lot and those structures, the essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

**Discussion:**

Ms. Crane asked where the proposed bike path would be located and Mr. Brown replied there was a mistake within the City's GIS system, so when they thought there was three to four feet of right-of-way they would have to purchase the additional right-of-way as part of the project for the multi-use path they will now have to work with the individual owners and purchase four and a half feet of right-of-way from that property versus what they originally thought was to be fourteen feet for a total of nineteen. There would be a six to eight foot tree lawn from the back of the curb and a ten foot wide multi-use path running along the south side of East Wilson Bridge Road. He would like the applicant to note that there would be an easement of four and a half feet for the multi-use path.

Ms. Crane asked how that affects the safety concerns that were expressed at the previous meeting and Mr. Brown replied city staff still has concerns the back end of a car could block a portion of the multi-use path, but looking at the Wilson Bridge corridor standards allowing buildings up to five feet from the right of way, the gate location is less of a concern after discovering the true location of the right-of-way. Mr. Coulter asked if city staff found the location of the gate acceptable, and Mr. Brown replied yes.

Harold Careins, 173 East Wilson Bridge Road, said he is in favor of the gate remaining in its current location. He and his wife are bike riders and welcome that future path. He said if they invite family or friends over he would leave the gate open so cars would not block the path.

Ms. Crane asked if there was anyone to speak either for or against this application.

Motion:  
Mr. Seitz moved:

**THAT THE REQUEST BY HAROLD CAREINS FOR A VARIANCE FROM CODE REQUIREMENTS FOR SETBACKS TO ALLOW A GATE TO REMAIN AT 19.5 FEET FROM THE EAST WILSON BRIDGE ROAD RIGHT-OF-WAY AT 173 EAST WILSON BRIDGE ROAD, AS PER CASE NO. BZA 03-17, DRAWINGS NO. BZA 03-17 DATED DECEMBER 19, 2016 AND FEBRUARY 22, 2017 BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Falcoski seconded the motion. All board members voted “aye” and the motion was approved.

### **C. Items of Public Hearing - New**

#### **1. Temporary Use Permit – Food Truck – 926 High St. (Andrew Schmidt) BZA 04-17**

Mr. Phillips reviewed the staff memo:

Findings of fact:

1. This property is in the C-2 district where restaurants are a permitted use. Temporary signs, including flags, are not permitted in this district.
2. A restaurant is defined as: “a place located in a permanent building wherein food and beverages are sold to the general public to be primarily consumed within the building and is the principal business of the place; this meaning excludes drugstores, confectionery stores, lunch stands and gasoline service stations.”
3. Fast food restaurants are further defined as “those establishments which dispense food from counter-type operations to be consumed on or off the premises away from the counter and are recognized as fast food operations because of high turnover of customers.”
4. A Food Truck would not be a permitted or conditional use in any zoning district within the City of Worthington.
5. Temporary Use Permits were previously granted by the Board to this vendor across the street at 923 High Street from May 6, 2014 to August 5, 2014, and from May 12, 2015 to November 10, 2015 with conditions. Staff issued a

Temporary Use Permit for August 5, 2014 and August 12, 2014 with the same conditions. A Temporary Use Permit was denied by the Board on September 4, 2014.

6. A Temporary Use Permit was approved at this location from April 12, 2016 to October 11, 2016, and the Board at that time permitted 2 flags. City Council has made comments to staff the flags are not appropriate.
7. The applicant is proposing operating a Food Truck on this property in the parking lot, on Tuesdays, from 3:00 PM to 8:00 PM, from March 14, 2017 through December 5, 2017, including the placement of 2 flags in the grass. It is not clear if the proposed flags will be in the right-of-way. Permission to occupy the right-of-way must be granted by the Director of Service and Engineering.
8. The Board of Zoning Appeals is authorized to grant a Temporary Use Permit for up to 6 months, from March 14 to September 12. The applicant must apply for a renewal to operate from September 19 to December 5, 2017.

The following conclusions are presented:

1. Staff was previously concerned about food, grease, trash, and general litter in the parking lot, grass areas, the public sidewalk, and the neighboring properties not being cleaned daily. Staff received no complaints about such food, grease, trash, or general litter at the previous or current locations. Previous applications included a trash container to be removed at the end of the shift.
2. A Food Truck for a special event would seem reasonable but would seem out of place in most parts of the City.
3. Temporary Use Permits are revocable.

**Discussion:**

Ms. Crane asked for how long the Temporary Use Permit can be approved and Mr. Phillips replied the board can only grant a Temporary Use Permit for up to six months.

Ms. Reibel asked if the flags were a zoning issue or an aesthetic concern because she did not have a problem with the flags. Mr. Phillips replied the zoning code does not allow temporary banners, flags, or anything that has movement, but the board has the authority to grant a Temporary Use Permit for up to six months. He also mentioned some of the City Council members had aesthetic concerns but were not directly relayed to him.

Ms. Crane asked if the food truck would be in the same location as it was last year and Andrew Schmidt, 2300 Brandon Road, Columbus, replied yes, the food truck will sit approximately fifty feet from the right-of-way. She asked where the flags are proposed to be and he replied the flags were in the grassy area last year but he is not sure how far back the grassy area is from the right-of-way. He also said if the board feels the flags are a nuisance he can do without them.

Mr. Schmidt stated Ace Hardware has asked him to stay longer which is why the December end date for this use. Mr. Seitz asked if he would prefer the March to September timeframe or if April to October would be better, and he replied he does not mind coming back in September for a renewal and the sooner the better.

Ms. Crane asked if there was anyone who wanted to speak for or against this proposal.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY ANDREW SCHMIDT AND CVS 3407 OH LLC FOR A TEMPORARY USE PERMIT TO ALLOW THE OPERATION OF A FOOD TRUCK ON TUESDAY EVENINGS FROM MARCH 14, 2017 TO SEPTEMBER 12, 2017, FROM 3:00 PM TO 8:00 PM, AT 926 HIGH STREET, AS PER CASE NO. BZA 04-17, DRAWINGS NO. BZA 04-17 DATED JANUARY 24, 2017, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING AND WITH THE FOLLOWING CONDITIONS:**

- 1. MAINTAIN ALL REQUIRED PERMITS AND LICENSES REQUIRED BY OTHER ORDINANCES, STATUTES, AND/OR REGULATIONS.**
- 2. KEEP THE SITE, INCLUDING THE ADJACENT RIGHT OF WAY CLEAN AND SANITARY AT ALL TIMES.**
- 3. NO TEMPORARY SIGNAGE OR FLAGS PERMITTED.**
- 4. SANDWICH BOARD PERMITTED AS PRESENTED AT THE MEETING.**

Mr. Coulter seconded the motion. All board members voted “aye” and the motion was approved.

**2. Variance – Side and Rear Yard Setbacks – Transformer – 2204 W. Dublin-Granville Rd. (UDF) BZA 05-17**

Mr. Phillips reviewed the staff memo:

Findings of fact:

1. This property is in the C-4 district where the minimum side yard requirement is 15 feet and the minimum rear yard requirement is 30 feet.

2. The applicant is constructing a new convenience store spanning the corporate boundary and is proposing to place an electrical transformer with landscape screening 5.9 feet from the east property line and 20 feet from the north property line. The requested variances are 9.1 feet for side yard setback and 10 feet for rear yard setback.

The following conclusions are presented:

1. The zoning zone has no exception for building service equipment, like transformers, within setbacks in non-residential districts. With the proposed screening including a fence on the property to the east, the small size of the structure relative to the main building and gas pump canopy, and building service equipment allowed in the required yards of residential properties, the requested variances are not substantial.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

**Discussion:**

Ms. Crane asked about the request for change of the landscape screening and David Watkins, 411 East Town Street, Columbus, Ohio, replied he would need to make a telephone call to discuss the matter with another attorney. Mr. Coulter said he did not have a problem with the proposed landscaping. Ms. Crane stated she would like to see the landscaping issue reconciled with the neighbors.

Ms. Crane asked if there was anyone to speak for or against this application.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY UNITED DAIRY FARMERS FOR A VARIANCE FROM CODE REQUIREMENTS FOR SETBACKS TO ALLOW THE PLACEMENT OF AN ELECTRICAL TRANSFORMER AT 2182 W. DUBLIN-GRANVILLE ROAD, AS PER CASE NO. BZA 05-17, DRAWINGS NO. BZA 05-17 DATED FEBRUARY 3, 2017 BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Falcoski seconded the motion. All board members voted, “aye”; and the motion was approved.

**3. Variance – Side Yard Setback – Addition – 809 Robbins Way (Joyce & William Roberts) BZA 06-17**

Mr. Phillips reviewed the staff memo:

Findings of fact:

1. This property is an existing lot of record in the R-10 district where the minimum side yard requirement is 8 feet.
2. The applicant is proposing to add a 2 story elevator on the east side of the existing dwelling. The foundation of the proposed addition is approximately 6 feet 7 inches by approximately 10 feet 5 inches and approximately 3 feet 8 inches from the east property line. The exterior walls of the elevator shaft are proposed to 5 feet 10 ¼ inches by 8 foot 11 ¾ inches, and are proposed to be 4 feet 5 ¾ inches from the east property line. The requested variance is 1 foot 5 inches.
3. The 2013 Residential Code of Ohio requires walls within 5 feet of the property line be constructed of 1 hour, fire-resistant-rated construction. The granting of any zoning code variance does not grant variances from building code requirements.

The following conclusions are presented:

1. The addition is relatively small in comparison to the existing dwelling and the dwellings within the neighborhood. This mitigates the substantial nature of the setback variance request.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.
4. The elevator could be placed in the rear yard with entry from the same dining room without requiring a variance.

**Discussion:**

Edward Fehér, 4041 North High Street, Columbus, said he was representing his clients because they were unable to attend the meeting this evening. His clients contacted their Home Owners Association and the Association did not have a problem with the placement of the elevator.

Ms. Crane asked about the city staff comment regarding placement of the elevator in the rear yard with entry from the same dining room and if that option was considered. Mr. Fehér replied, no, because the house has three levels and they want to have access to all three floors including the basement. Ms. Crane asked if fire protective materials are

necessary since the elevator will be so close to the property line and Mr. Phillips replied only the outside wall.

Ms. Crane asked if there was anyone to speak for or against this application.

**Motion:**

Ms. Reibel moved:

**THAT THE REQUEST BY JOYCE AND WILLIAM ROBERTS FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO ALLOW THE CONSTRUCTION OF AN ADDITION AT 809 ROBBINS WAY, AS PER CASE NO. BZA 06-17, DRAWINGS NO. BZA 06-17 DATED FEBRUARY 3, 2017 BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Coulter seconded the motion. All board members voted “aye” and the motion was approved.

**4. Variance – Side Yard Setback – Fence – 820 Morning St. (Mahlon & Cindy Nowland) BZA 08-17**

Mr. Phillips reviewed the staff memo:

Findings of fact:

1. This property is an existing lot of record in the R-10 district with a platted front yard setback of 30 feet on both the Morning Street and Franklin Avenue rights-of-way.
2. The applicant is proposing to erect a 4 foot tall metal fence 20 feet from the Franklin Avenue right-of-way. The requested variance is 10 feet.
3. The property is subject to, and the fence has been approved by, the Architectural Review Board.

The following conclusions are presented:

1. Platted building lines, or setbacks, are typically less than what are currently required by the zoning code and the more restrictive is usually applied. In this particular case, both the front yard setbacks of 30 feet exceeds the 20 feet permitted for the adjacent side yard for corner lots. The requested variance is not substantial. If it were not for the platted 30 foot front setback on the Franklin Avenue side of the property, no variance would be required.

2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

**Discussion:**

Cindy Nowland, 820 Morning Street, had nothing to add. Ms. Crane said the proposed fence was attractive.

Ms. Crane asked if there was anyone to speak either for or against this application.

**Motion:**

Mr. Falcoski moved:

**THAT THE REQUEST BY MAHLON & CINDY NOWLAND FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO ERECT A FENCE AT 820 MORNING STREET, AS PER CASE NO. BZA 08-17, DRAWINGS NO. BZA 08-17 DATED FEBRUARY 13, 2017 BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Seitz seconded the motion. All board members voted “aye” and the motion was approved.

**C. Other**

There was no other business to discuss.

**D. Adjournment**

Mr. Falcoski moved to adjourn the meeting, seconded by Mr. Seitz. The meeting adjourned at 7:50 p.m.



# City of Worthington

## BOARD OF ZONING APPEALS

### APPLICATION

Meetings - First Thursday of Every Month

Case #	BZA 09-17
Date Received	2-21-17
Fee	\$25
Meeting Date	4-6-17
Filing Deadline	
Rept	63272

1. Property Location 555 Evening St
2. Present/Proposed Use Covered deck + patio
3. Zoning District \_\_\_\_\_
4. Applicant Susan J Kerr / Dennis Kerr  
 Address 2291 Walkhaver Ct Col OH 43220  
 Phone Number(s) 614-230-5272
5. Property Owner Susan J Kerr  
 Address 2291 Walkhaver Ct Col OH 43220  
 Phone Number(s) 614-230-5272
6. Action Requested permit extension  
 (ie. type of variance)

#### 7. Project Details:

- a) Description Replace old deck with new covered deck + patio
- b) Expected Completion Date 7-1-17
- c) Approximate Cost \$20,000

#### PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

[Signature]  
Applicant (Signature)

2-6-17  
Date

[Signature]  
Property Owner (Signature)

2/7/17  
Date

Abutting Property Owners List for  
555 Evening St.

Romano & Juliet Klepec	565 Evening St	Worthington, OH 43085
Samuel & Mary Musgrove	562 Evening St	Worthington, OH 43085
Alec & Kristin Carpenter	552 Evening St	Worthington, OH 43085
Ann Caudill	551 Evening St	Worthington, OH 43085
Theodore & Kimberly Beegle	168 South St W	Worthington, OH 43085

To: Members of the Board of Zoning Appeals

From: Dennis Kerr

I'm writing today to ask for a permit extension for permit #21356 which is for a covered deck and concrete paver patio at 555 Evening Street. To date the patio, deck framing, roof supports and decking have been completed. The remaining roof framing, roofing and trim will be completed over the next few months and I plan on calling for a final by June 15<sup>th</sup>.

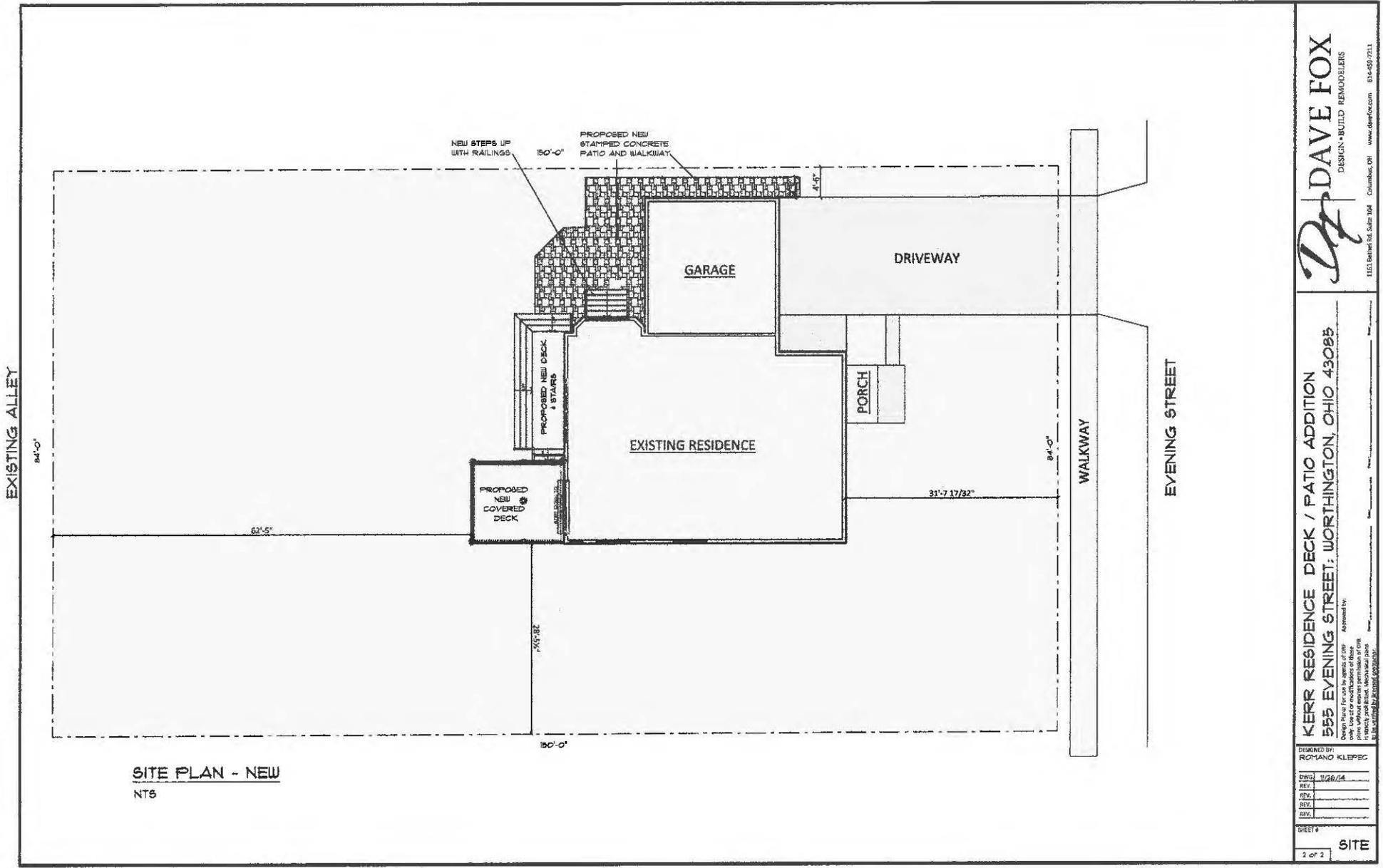
This project has taken me longer than I had hoped to due to my limited time availability. I run a nonprofit and as you can imagine it can be quite time consuming.

Thank-you for your consideration on this and if you need to talk to me for additional information on this project please call me at 614/230-5272.

# 555 Evening St.



100-00087 03/27/2014



**DAVE FOX**  
 DESIGN • BUILD • REMODELERS

1115 Belmont Rd. Suite 104 Columbus, OH 43260  
 www.davefox.com 614-895-7211

**KERR RESIDENCE DECK / PATIO ADDITION**  
**555 EVENING STREET; WORTHINGTON, OHIO 43085**

Design Plans: For each separate sheet of plans, Approval by: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Use of or modification of these plans without the express permission of the Designer is prohibited. © 2014 Dave Fox Construction, Inc. All rights reserved.

DESIGNED BY	ROTHMAN KLEPPEC
DWG	3/26/14
REV	
REV	
REV	
REV	
SHEET #	1
2 of 2	

**SITE**

**CITY OF WORTHINGTON**  
**BZA 09-17**  
**DRAWING NO.**  
**DATE 2-21-17**



CITY OF WORTHINGT

BZA 09-17  
DRAWING NO.

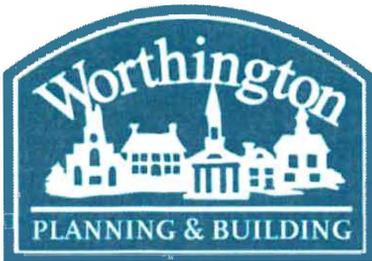
DATE 2-21-17

SHEET  
A-2

DATE	BY	REVISION

**KERR RESIDENCE COLOR RENDERINGS**  
**555 EVENING STREET, WORTHINGTON, OHIO 43085**  
Design Plans: For use by agents of DBR only. Use of or modifications of these plans without express permission of DFR is strictly prohibited. Mechanical plans to be verified by licensed contractor.

**DF DAVE FOX**  
 DESIGN • BUILD REMODELERS  
 1161 Bethel Rd. Suite 104 Columbus, OH www.davefox.com 614-459-7211



# City of Worthington

## BOARD OF ZONING APPEALS

### APPLICATION

Meetings – First Thursday of Every Month

Case #	RZA 10-17
Date Received	3-7-17
Fee	\$25
Meeting Date	4-6-17
Filing Deadline	#63308

1. Property Location 346 COLONIAL AVE
2. Present/Proposed Use RESIDENTIAL HOME
3. Zoning District R-10
4. Applicant RICK HARVEY  
Address 346 COLONIAL AVE  
Phone Number(s) 614-404-6141
5. Property Owner RICK HARVEY & ANDRIA BLIZZARD  
Address 346 COLONIAL AVE  
Phone Number(s) 614-404-6141 CELL
6. Action Requested (ie. type of variance) FENCE IS WITHIN 30' BUILDING SETBACK ON GREENWICH ST.

7. Project Details:
  - a) Description PHASE 2: REPLACE OLD FENCE WITH NEW FENCE
  - b) Expected Completion Date SEPT 2017
  - c) Approximate Cost \$1000

**PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:**  
 The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

[Signature]  
Applicant (Signature)

3/6/17  
Date

[Signature]  
Property Owner (Signature)

3/6/17  
Date

Abutting Property Owners List for  
346 Colonial Ave.

Worthington Schools	Attn: Tim Gehring	200 E. Wilson Bridge Rd.	Worthington, OH 43085
Kathleen Schneider	Jim Richardson	356 Colonial Ave.	Worthington, OH 43085
David & Amanda Skelton		649 High St., #102	Worthington, OH 43085
Alicia Iglesias		347 Colonial Ave.	Worthington, OH 43085
Willard Nichols III		333 Colonial Ave.	Worthington, OH 43085
Robert Fisher		332 Colonial Ave.	Worthington, OH 43085

**Rick Harvey**  
346 Colonial Ave  
Worthington, OH 43085  
614-404-6141

March 6, 2017

**Worthington Board of Zoning Appeals**  
374 Highland Ave  
Worthington, OH 43085

Dear Worthington Board of Zoning Appeals:

I am proposing to replace an old fence that has been removed. I recently applied for a building permit but was rejected due to the fact that the existing fence is in the 20' building setback line on Greenwich St.

Phase one was completed in 2015 (with variance approved). Phase 2 will connect the two sections that were done in 2015.

Responses to questions on the filing instructions.

1-1. Yes, the property is still of beneficial use without the variance

1-2. I do not believe the variance is substantial

1-3. I do not believe that the character of the neighborhood would be substantially altered. I do not believe the adjoining properties would suffer a substantial detriment. I do believe that the new improved fence will be well received.

1-4. This will not affect government services.

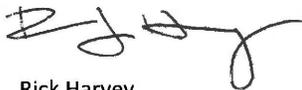
1-5. I was aware of a building line when we purchased the property, but survey building line distance shows 10ft, not 20ft.

1-6. Our predicament can not be obviated without a variance. Building permit could not be issued without variance.

1-7. Yes, I believe that substantial justice would result by granting the variance. We are replacing a fence that existed when we bought the property.

Please free to contact me with any questions via cell phone 614-404-6141.

Sincerely,



Rick Harvey

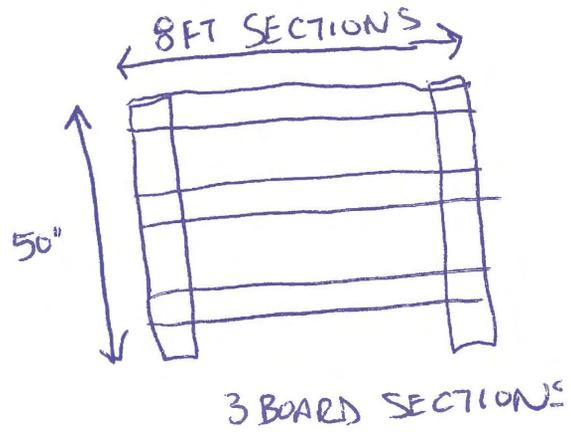
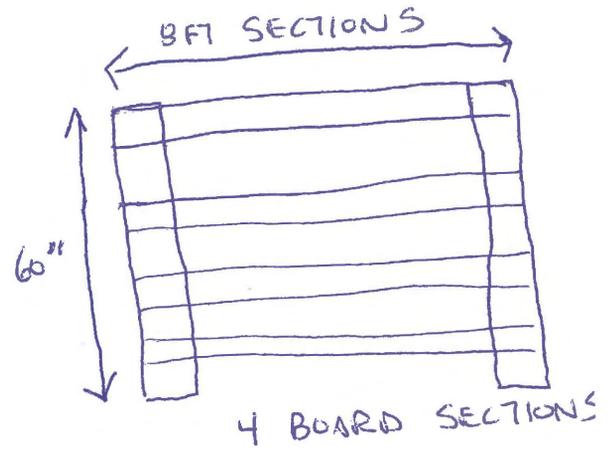
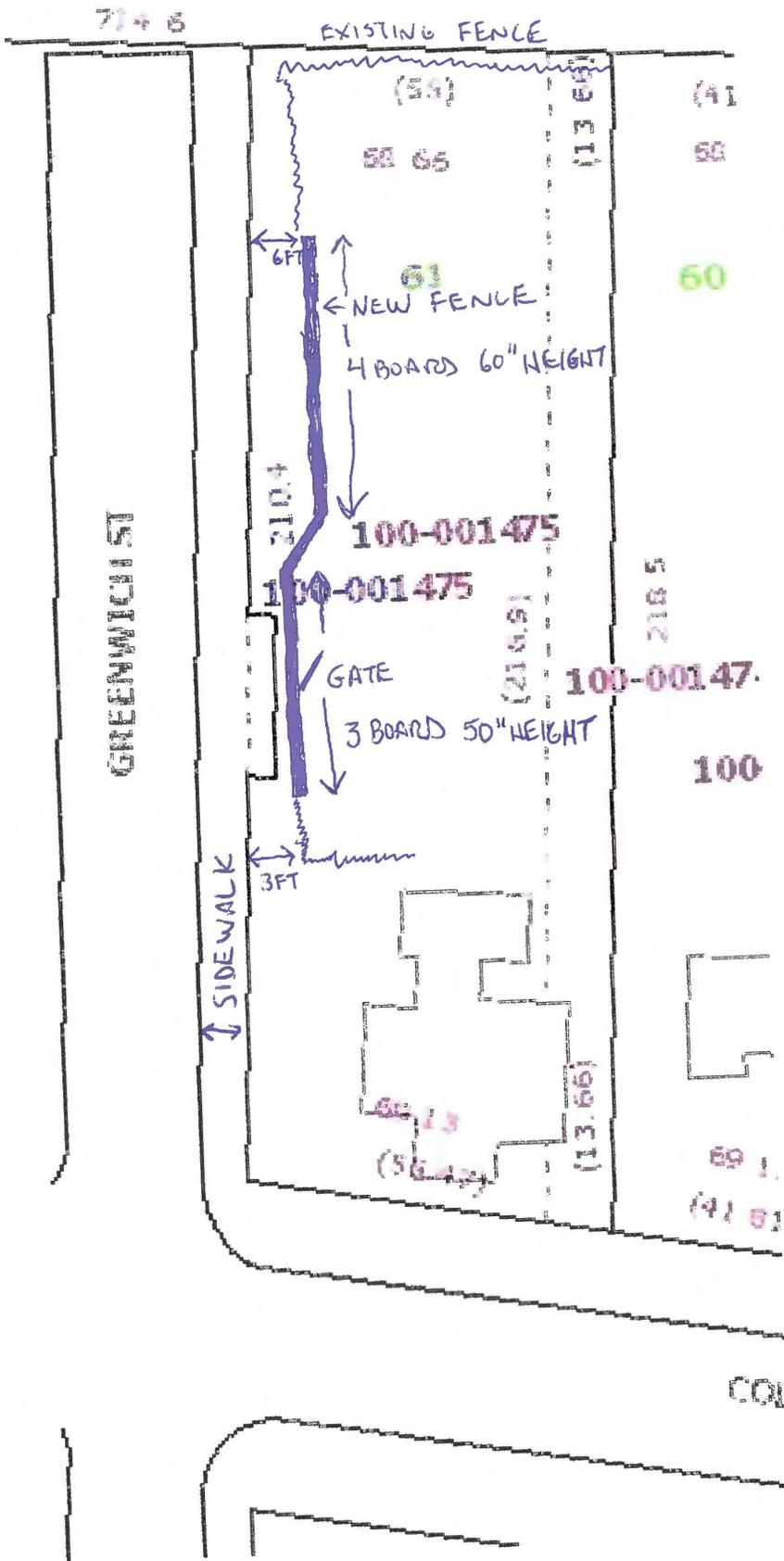
# 346 Colonial Ave.



100-001475 03/26/2014

 = EXISTING FENCE  
 = NEW FENCE

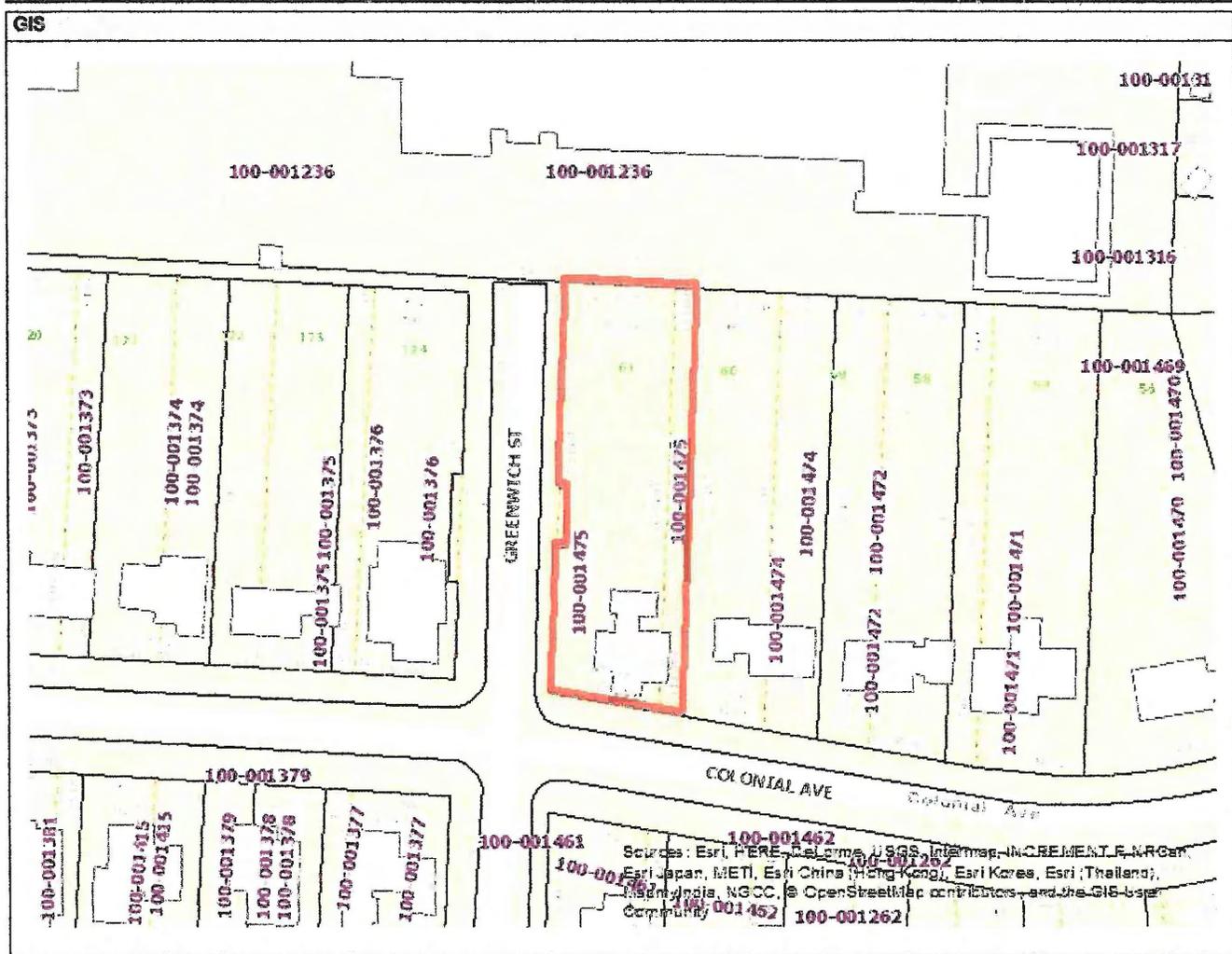
4x4 POSTS  
 PRESSURE TREATED WOOD  
 5/4x6" x 8FT RAILS



CITY OF WORTHINGTON  
 BZA 10-17  
 DRAWING NO.  
 DATE 3-7-17

**MAP(GIS)**

Parcel ID	Map Routing No	Owner	Location
10000147500	100N237 01000	HARVEY RICHARD J	346 COLONIAL AV



**Disclaimer**

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

**CITY OF WORTHINGTON**  
BZA 10-17  
DRAWING NO:  
DATE 3-7-17



CITY OF WORTHINGTON  
BZA 10-17  
DRAWING NO.  
DATE 3-7-17



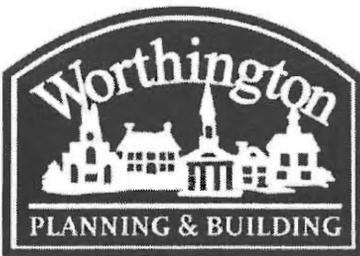
5800  
COLONIAL HILLS  
ELEMENTARY

20 TO SCHOOL  
22 4th ST. E.  
23 12th AVE. N.  
AMERICA STREET  
9-7-87A

CITY OF WORTHINGTON  
BZA 10-17  
DRAWING NO.  
DATE 3-7-17



CITY OF WORTHINGTON  
BZA 10-17  
DRAWING NO.  
DATE 3-7-17



City of Worthington
BOARD OF ZONING APPEALS
APPLICATION

Meetings - First Thursday of Every Month

Case # B2A 11-17
Date Received 3/17/17
Fee \$25.00 pd
Meeting Date 4/6/17
Filing Deadline #63363

266 E Dublin Granville Rd

1. Property Location residential

2. Present/Proposed Use residential

3. Zoning District

4. Applicant Debbie Cameron and Bill McCarthy

Address

Phone Number(s) 614 571-9180 614 397-9690

5. Property Owner Same

Address Same

Phone Number(s) Same

6. Action Requested (ie. type of variance) Variance for total garagesquare footage

7. Project Details:

a) Description Carriage house garage

b) Expected Completion Date June, 2017

c) Approximate Cost \$55,000

PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

Debbie Cameron
Applicant (Signature)

3-16-17
Date

Bill A. McCarthy
Property Owner (Signature)

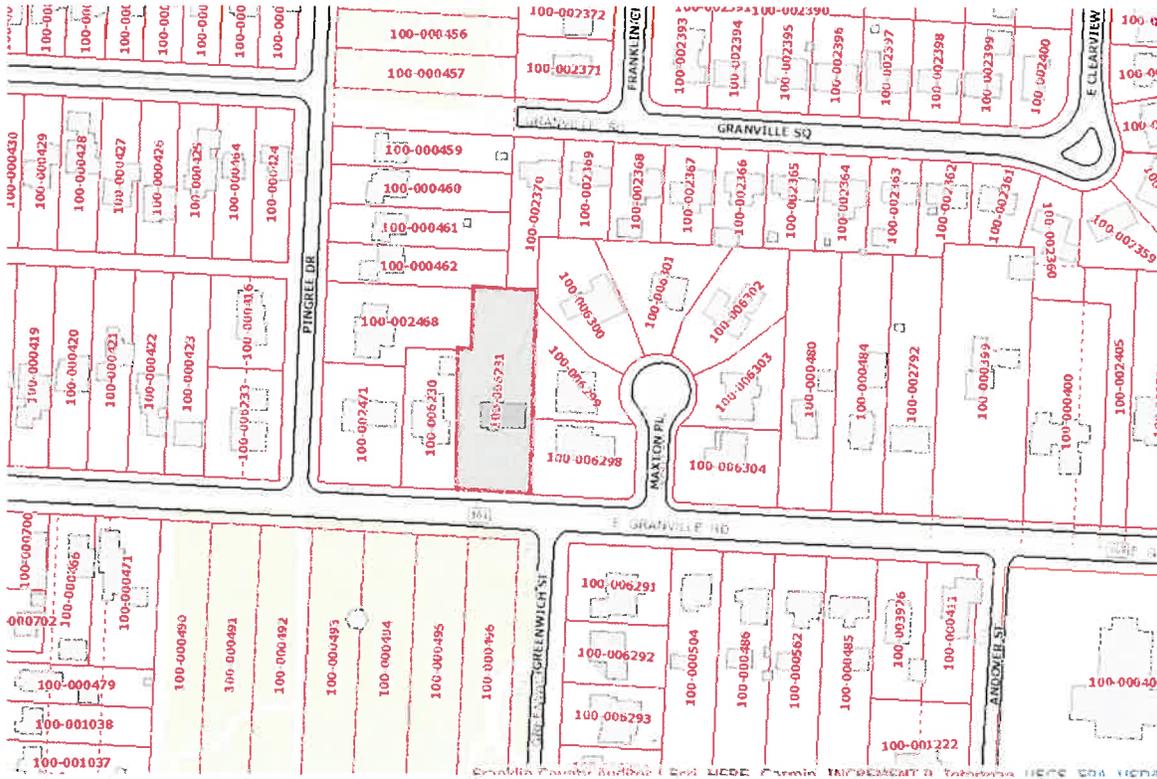
3-16-17
Date



## 266 E. Dublin Granville Road

1. Carriage houses are so quaint and charming to the Old Worthington Architecture. A single car garage with one story would be functional but detract from the ambiance of the historical theme of the area.
2. The variance is not substantial with the addition of the upstairs being 189 square feet; it puts the total square footage for both garages at 1054 sq. ft.
3. The carriage house will not detract, but actually enhance the value and character of the neighborhood.
4. It will have no effect on delivery of governmental services.
5. We purchased the property with no knowledge of the restriction.
6. There is not another plan available to add the architecture necessary for the "Old Worthington" look without the second story.
7. In the spirit of adding charm and historical accuracy to a gateway into our community, we believe the benefits of the variance are substantial.

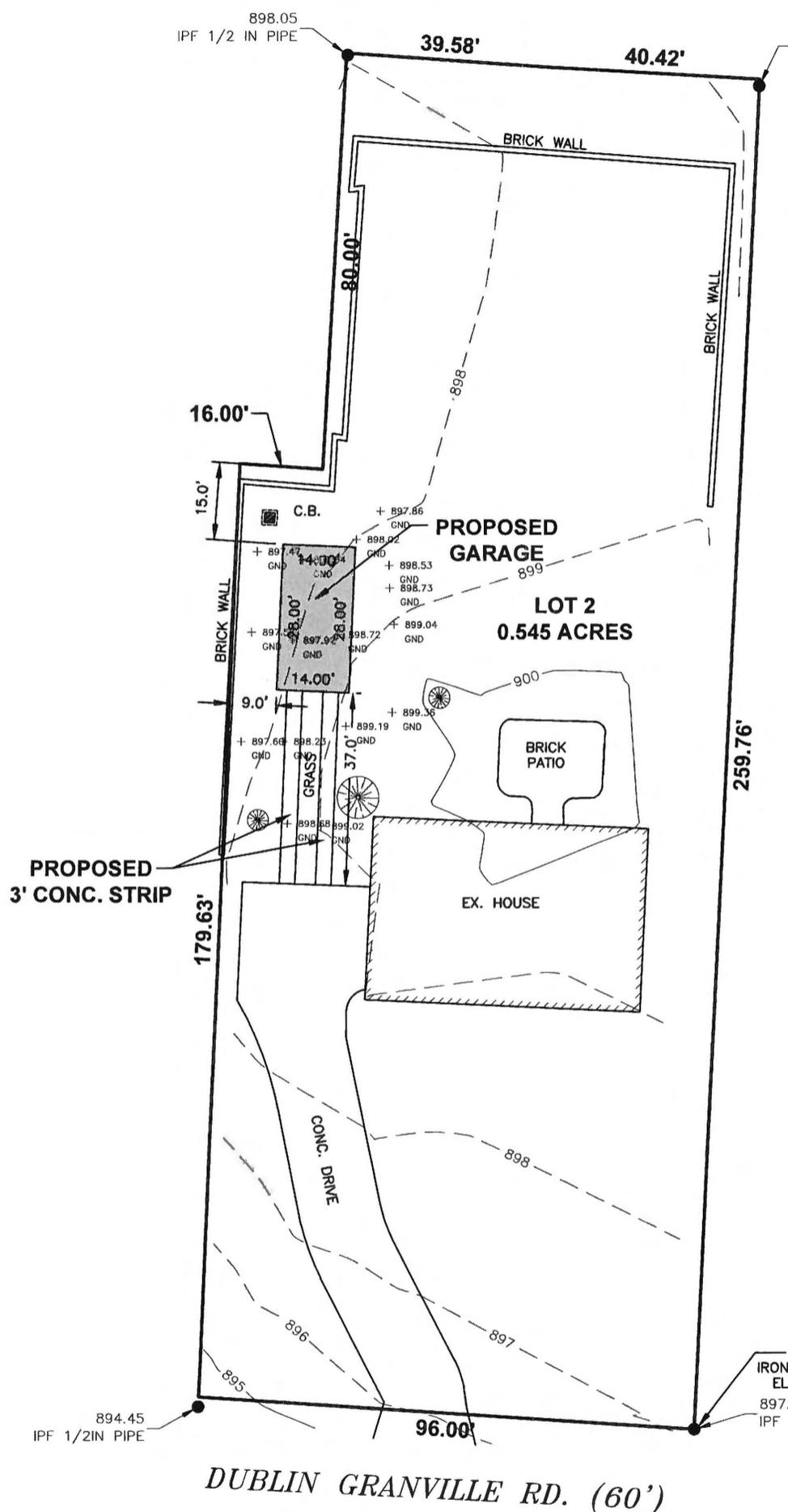
# 266 E. Granville Rd.



100-006231 03/31/2014

FOR TOM SAKIS HOUSE STYLE CUSTOM ADDRESS 266 E. DUBLIN GRANVILLE RD.  
 LOT/SUBDIVISION LOT 2 OF SMITH PLACE CITY OF WORTHINGTON  
 SCALE 1" = 30' P.B. 68 PG. 49 DATE 3/10/17 DRAWN BY KK CK. SBW CO. OF FRANKLIN  
 FLOOD ZONE X COMM. PANEL TBD PAGE \_\_\_\_\_ DATE \_\_\_\_\_ STATE OF OHIO  
 MINIMUMS R: \_\_\_\_\_ S: \_\_\_\_\_ DRIVE SLOPE DISTANCE = \_\_\_\_\_ WALKOUT \_\_\_\_\_ JOB # 2975

**\*STABILIZED CONSTRUCTION ENTRANCE**



**BUILDING SETBACK:**  
 SIDE LINE 20' TOTAL  
 8' MINIMUM.  
 REAR 30'

CITY OF WORTHINGTON  
 BZA 11-17  
 DRAWING NO.  
 DATE 3-17-17

T.B.M. #1  
 IRON PIPE FOUND  
 ELEV.=897.12  
 897.12  
 IPF 1/2IN PIPE CAPPED BDM

LEGEND	
●	Iron PIN Fnd. As (Noted)
⊙	SPK Fnd.
Ⓜ	Monument Fnd.

SHEET 1 OF 1

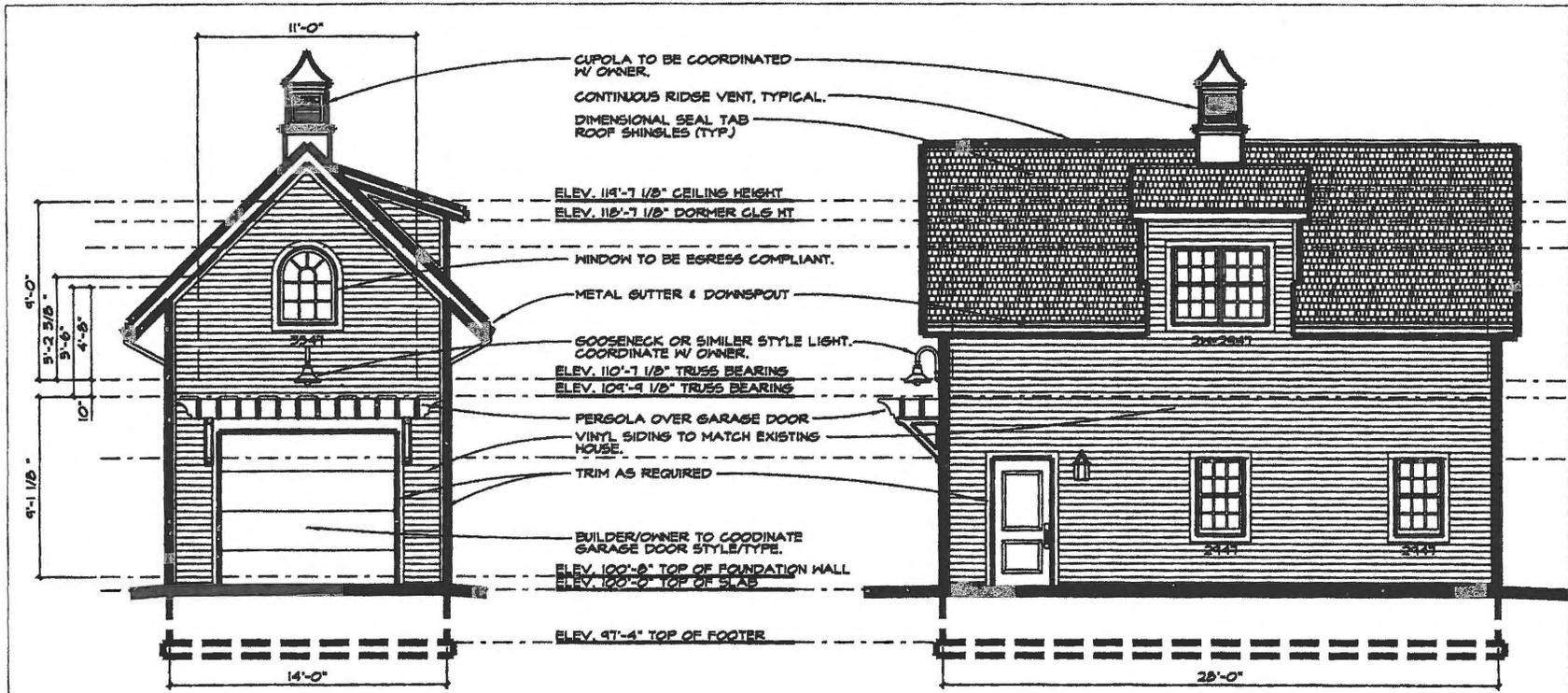
**PLOT PLAN**

We hereby certify that the foregoing PLOT PLAN was prepared from information provided by the Client and data obtained from Engineered Subdivision Plan. This Plot Plan is to be used by the Client for the sole purpose of obtaining a Building Permit. The use of this Plot Plan is Strictly prohibited.

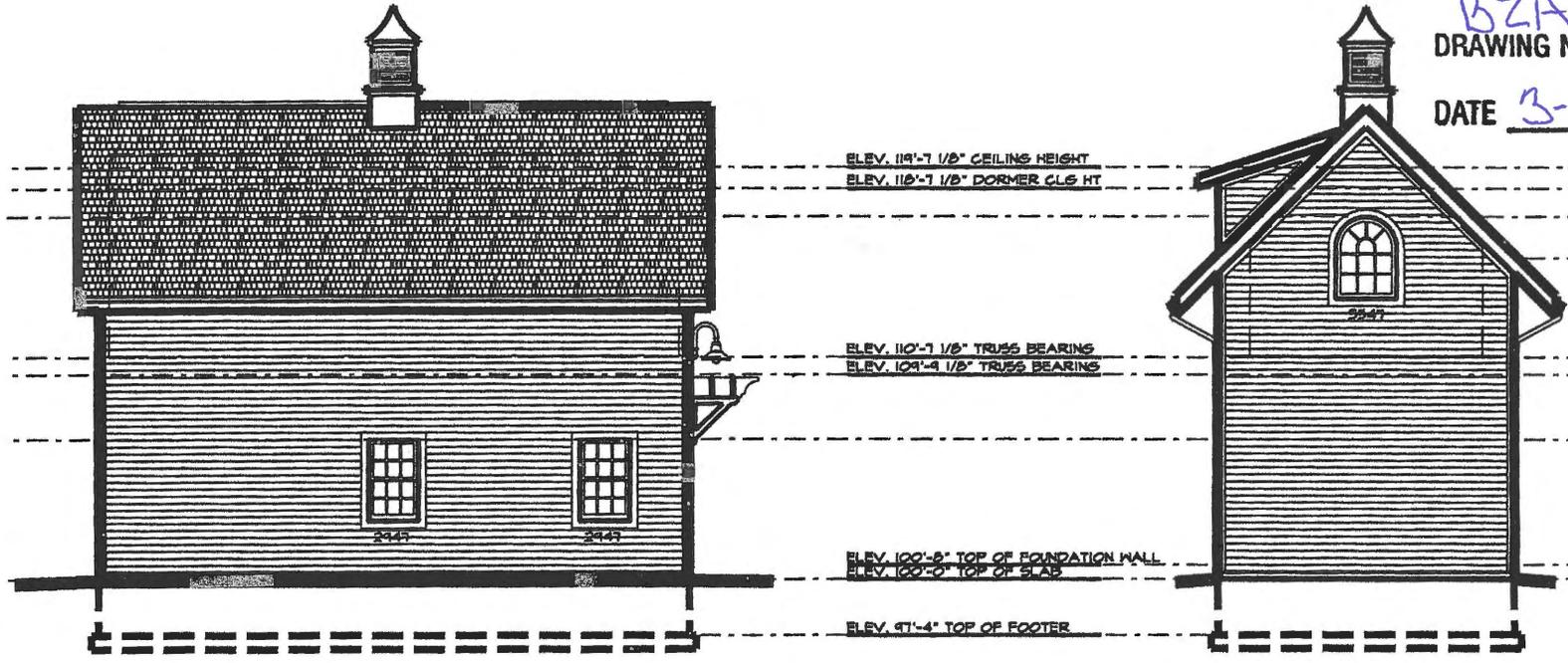


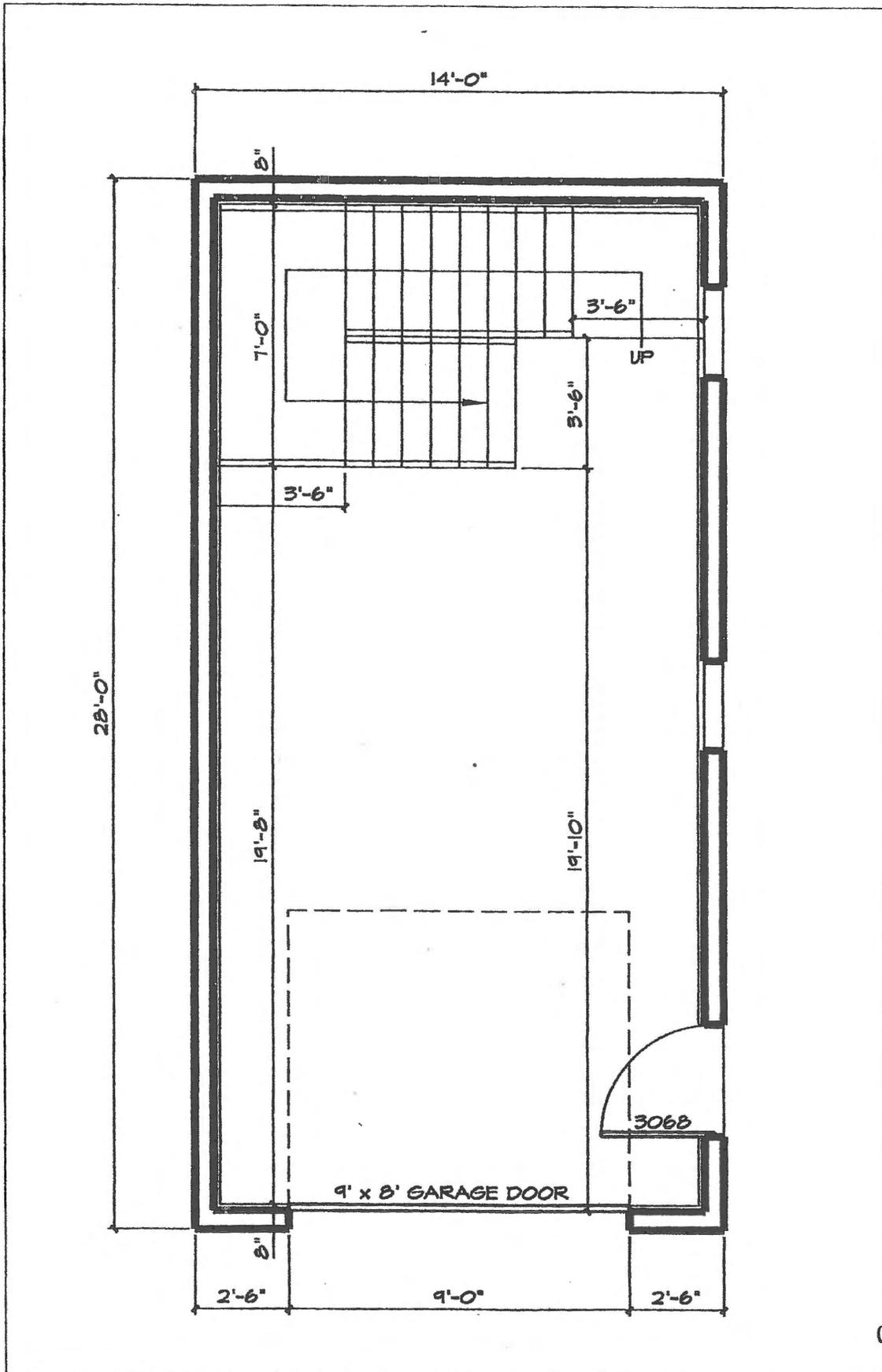
**ACKISON**  
 SURVEYING  
 Office: 614-766-4000  
 Cell: 614-207-8214  
 www.ackisonsurveying.com

By \_\_\_\_\_



CITY OF WORTHINGTON  
 BZA 11-17  
 DRAWING NO.  
 DATE 3-17-17





...\\Detached Garage\\LANIER.dgn 3/9/2017 7:29:05 PM

CITY OF WORTHINGTON

BZA 11-17  
DRAWING NO.

DATE 3-17-17