

MINUTES OF THE REGULAR MEETING
OF THE
WORTHINGTON BOARD OF ZONING APPEALS
June 2, 2011

The regular meeting of the Worthington Board of Zoning Appeals was called to order at 7:30 P.M. with the following members present: C. Crane, D. Falcoski, R. Dorothy, L. Reibel and J. Sauer. Also present was D. Phillips, Chief Building Inspector.

Those present recited the Pledge of Allegiance.

Motion made by Ms. Dorothy to approve May 5, 2011 minutes. Mr. Falcoski seconded the motion and all members voted "aye" thereon.

Ms. Crane asked those that plan to speak fill out speaker slips and to be sworn. Mr. Phillips swore in the witness prepared to comment at the meeting.

AGENDA ITEM B-1 – Variances – Front and Side Yard Setbacks – Additions and Fence; Accessory Structure Area – Attic for Existing Garage – 126 W. Dublin-Granville Rd. (Scott & Debra Volzer) BZA 17-2011

Ms. Crane asked for staff comments.

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum front yard setback of 50 feet along the Granville Road right-of-way, a minimum side yard setback of 33 feet 4 inches along the Evening Street right-of-way, a minimum 30 foot setback from the alley to the north, and maximum accessory structure area is limited to 850 square feet. Architectural projections such as eaves and gutters are permitted into the side yard at a rate of two inches per foot of side yard, or 66.67 inches. The property contains an existing single family dwelling with an existing porch approximately 26 feet from the Granville Road right-of way. The applicant is proposing to enclose the front porch. The requested variance is to enclose the front porch entirely within the front yard setback. The existing dwelling has an enclosed rear porch approximately 22 feet from the Evening Street right-of-way. The applicant is proposing to modify and expand the existing enclosed porch into an open porch with a two foot architectural projections and an approximate four inch wide gutter. The request variance is 11 feet 4 inches plus the architectural projection and gutter, or 13 feet eight inches. The applicant is proposing to erect a fence within nine feet of the Evening Street right-of-way and 15 feet from the north alley. The requested variances are 24 feet 4 inches for side yard and 15 feet for the setback along the alley. The property contains an existing 18.2 foot by 12.4 foot single car detached garage being used as a shed and is located entirely in the Evening Street side yard. The applicant is proposing to relocate two doors. The requested variance is to modify a structure within a setback. The property contains an existing 26 foot by 22.6 foot two car detached garage approximately 587.6 square feet in area, in addition to the 225.7 square foot shed. The existing total accessory structure area is 813.3 square feet. The applicant is proposing to modify the existing two car garage and

create storage space above. The amount of storage space above is estimated to be approximately 293.8 square feet and the total proposed accessory structure area is estimated to be 1,107.1 square feet. The requested variance is for 257.1 square feet. The alterations are subject to, and have been approved by, the Architectural Review Board.

Mr. Phillips continued to say that the corner lots in R-10 districts are typically limited by the 30 foot front and 20 foot side yard setback requirements, and a corner lot with three fronts along a regional thoroughfare places an even larger burden on smaller existing lots of record. Any alteration of the existing porches and the single car garage would require variances. The traffic along Granville Road does not allow the quiet enjoyment of the existing open front porch and it is reasonable to relocate an open porch to the rear to better enjoy outdoor living. These factors mitigated the substantial nature of the two porches variance requests. The proposed fence is a sweeping three foot six inch to four foot nine inch tall, open design with a six foot arbor and does not visually impact the neighborhood like a six foot privacy fence could. To erect a fence without variances would leave very little green space that is fenced. These factors mitigated the substantial nature of the fence variance requests. No modification of the shed is possible without a variance and the proposed changes allows for better access to the shed. Staff did not consider the shed variance requests as substantial. The storage space above a garage is typically not considered accessory area when the garage is attached. The intent of the 850 square foot limit is to prevent vary large structures from overshadowing modestly sized principal dwellings. In this particular case, the apparent size of the garage with or without the use of the attic as storage space does not increase the apparent size of the garage. Staff considered this to mitigate the substantial nature of the variance request. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked for clarification on the small shed and the garage door location. Mr. Phillips stated that the door on the Evening Street side is being relocated, but the applicant can clarify.

Ms. Crane asked for the applicant to address the Board.

Scott Volzer, 126 W. Dublin-Granville Rd. stated doors would be on both sides of the structure so not to have a curb cut leading to nothing. Ms. Crane asked where exactly would the fence be placed in relation to the garage and Mr. Volzer said it would link just under the shown trim on the windows on both sides.

Mr. Falcoski asked if the front porch is being enclosed only and not enlarged. Mr. Volzer replied they have no interest in adding it to existing living space within the home; they just want the porch enclosed to reduce the noise from traffic.

Ms. Dorothy asked if the fence variance is granted, does that include the height at four foot and then no one later could place a six foot tall fence in the same location. Mr. Phillips replied that the property is subject to Architectural Review, so that would keep

that from happening, and his interpretation is six foot privacy fence would not comply with the approved variance.

Ms. Crane asked for questions from the Board.

Ms. Crane asked for comments from the audience, for or against this proposal.

Hearing no one, Ms. Dorothy moved:

THAT THE REQUEST BY SCOTT AND DEBRA VOLZER FOR A VARIANCE FROM CODE REQUIREMENTS FOR SETBACK REQUIREMENTS, AND ACCESSORY STRUCTURE AREA TO ALLOW THE ENCLOSING OF A PORCH, THE ALTERATION AND ADDITION OF A PORCH, THE ERECTION OF A FENCE, THE ALTERATION OF A SHED, AND THE ALTERATION OF A GARAGE AT 126 WEST DUBLIN-GRANVILLE ROAD, AS PER CASE NO. BZA 17-2011, DRAWINGS NO. BZA 17-2011 DATED MAY 6, 2011, 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 and all members voted “aye” thereon.

AGENDA ITEM B-2 - Variance – Side Yard Setback – Garage – 587 Oxford St.
(Corrine Meyer) BZA 18-2011

Ms. Crane asked for staff comments.

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum eight foot side yard setback. Architectural projections such as eaves and gutters are permitted into the side yard at a rate of two inches per foot of side yard, or 16 inches. The applicant is proposing to demolish an existing detached garage and construct a 20 foot by 24 foot or 25 foot detached garage six feet from the south property line with a 22 inch eave. The requested variance is two feet plus the eave or three feet ten inches. The demolition of the existing garage and the construction of the new garage are subject to, and have been approved, by the Architectural Review Board.

Mr. Phillips continued to say moving the garage a little further from the principal dwelling allows better access to the garage from the house and from the driveway for vehicles. Staff did not consider the setback variance as substantial. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked the applicant to address the Board.

Corrine Meyer, 587 Oxford St. had no comments.

Ms. Crane asked for questions from the Board.

Ms. Crane asked if there was anyone in the audience to speak for or against this proposal.

Hearing no one, Mr. Falcowski moved:

THAT THE REQUEST BY CORINNE MEYER FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO ALLOW THE CONSTRUCTION OF A GARAGE AT 587 OXFORD STREET, AS PER CASE NO. BZA 18-2011, DRAWINGS NO. BZA 18-2011 DATED MAY 11, 2011, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

Ms. Dorothy seconded the motion and all members voted “aye” thereon.

AGENDA ITEM B-3 – Variance – Side Yard Setback – Addition – 784 Evening St.
(Tedrick Architects/Kristopher & Heidi Anderson) BZA 19-2011

Ms. Crane asked for staff comments.

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum 20 foot side yard setback when abutting an alley. Architectural projections such as eaves and gutters are permitted into the side yard at a rate of two inches per foot of side yard, or 40 inches. The applicant is proposing to construct an addition to the rear of the existing dwelling within the side yard setback, 5.9 feet from the alley right-of-way with an approximate 12 inch eave and a four inch gutter. The requested variance is 14.1 feet plus the eave and gutter, or 15.4 feet. The property is subject to, and the addition has been approved by, the Architectural Review Board.

Mr. Phillips continued to say that a corner lot of a 50.20 foot wide parcel creates a difficulty trying to add to an existing building. In this particular case, staff saw no other way to reasonably expand the existing living spaces without the variances and mitigates the substantial nature of the variance request. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked the applicant to address the Board.

Greg Delong, 552 Evening Street, stated the existing home is within the 20 foot setback and the addition would not encroach further into the setback.

Ms. Crane asked for questions from the Board

Ms. Crane asked if there was anyone in the audience to speak for or against this proposal.

Hearing no one, Ms. Reibel moved:

THAT THE REQUEST BY TEDRICK ARCHITECTS, AND KRISTOPHER AND HEIDI ANDERSON FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO CONSTRUCT AN ADDITION 784 EVENING STREET, AS PER CASE NO. BZA 19-2011, DRAWINGS NO. BZA 19-2011 DATED MAY 5, 2011, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

Ms. Dorothy seconded the motion and all members voted “aye” thereon.

There being no further business, Ms. Dorothy moved for adjournment with Mr. Falcoski seconding the motion.

The meeting adjourned at 7:54 P.M.