



MINUTES OF THE REGULAR MEETING  
BOARD OF ZONING APPEALS  
VIRTUAL MEETING

November 5, 2020

**A. Call to Order – 7:00 p.m.**

1. Roll Call - the following members were present: Cynthia Crane, Chair; D.J. Falcoski – Vice-Chair; Brian Seitz, Secretary; Garrett Guillozet and Mikel Coulter. Also present were Lee Brown, Director of Planning & Building; and Lynda Bitar, Planning Coordinator.
2. Approval of Minutes of the October 1, 2020 meeting

Mr. Coulter moved to approve the minutes, and Mr. Seitz seconded the motion. Mr. Falcoski, aye; Mr. Coulter, aye; Ms. Crane, aye; and Mr. Guillozet, aye. The minutes were approved.

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

Mr. Coulter moved to remove the following item from the table, and Mr. Seitz seconded the motion. All Board members voted, “Aye,” and the item was removed from the table.

1. **Variance – Setback & Screening – 6625 Guyer St. (Schorr Architects/Worthingway Middle School) BZA 21-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the S-1 (Special) Zoning District and is the site of Worthingway Middle School. The school is currently undergoing renovations to construct an addition to the existing building. A setback variance was granted for this on October 3<sup>rd</sup>, 2019 for the building. Worthington Schools chose to delay seeking the variance for parking and screening so they could have additional conversations with surrounding property owners.

A portion of the proposed changes to the parking and access aisles are within 25 feet of residential uses. The applicant has provided an updated site plan that now provides a mix of fencing and landscaping along the perimeter of the site. Please see landscape plan. Many of the surrounding properties currently have a mix of landscaping and fencing along the perimeter of the site and/or are wide open to the site.

The applicant and Worthington Schools have been engaged in conversation with neighboring properties regarding screening and worked with the neighbors to see what they would like to see in place for screening as the site redevelops.

There were 59 existing parking spaces on the site, they are now proposing an additional 20 parking spots for a total of 79 parking spaces. Access and maneuverability on the site will be adjusted to permit 2-way traffic on the site, whereas in the past it was only an eastbound movement coming from the Thackeray Avenue entrance and exiting to Guyer Street.

**Worthington Codified Ordinances:**

Section 1149.03(a) states: Off-street parking spaces and access drives for non-residential uses must be at least 25 feet from the any residential district.

Section 1149.03(b) states: Off-street parking areas for more than five vehicles shall be effectively screened on each side which adjoins or faces premises situated in any residential district or institutional premises, by a masonry wall or solid fence. Such wall or fence shall not be less than four feet or more than six feet in height and shall be maintained in good condition without any advertising thereon. The space between such wall or fence and the lot line of the adjoining premises in any residential district shall be at least ten feet wide and landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition. In lieu of such wall or fence, a strip of land not less than ten feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four feet in height, may be substituted.

**Request:**

The applicant is requesting a variance to provide a mix of fencing and landscaping along the perimeter of the site adjacent to a residential use.

**Conclusions:**

Worthington Schools stated they have been having ongoing conversations with neighbors to discuss solutions for screening from the parking lot to their residences and provided an agreed upon plan for the site for screening. Please see application materials.

There is a mix of landscaping and fencing along the perimeter. The additional landscaping and fencing will provide additional screening to the affected areas. The applicant states in addition to the existing vegetation, several new trees and plantings will be provided throughout the site. This helps lessen the impact of the variance request.

The updated landscape plan improves the overall conditions on the site and the addition of 20 parking spaces adds additional parking on the school property.

The delivery of government services should not be affected.

**Discussion:**

Mr. Brown swore in the applicant, Mr. Paul Miller, 6080 Linworth Rd. Board members had no questions or concerns. Ms. Crane asked if there were any callers or emails.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY SCHORR ARCHITECTS ON BEHALF OF WORTHINGWAY MIDDLE SCHOOL FOR A VARIANCE FROM CODE REQUIREMENTS TO PERMIT LANDSCAPING AND FENCING ASSOCIATED WITH THE PARKING AND DRIVE AISLES AT 6625 GUYER ST., AS PER CASE NO. BZA 21-2020, DRAWINGS NO. BZA 21-2020 DATED OCTOBER 27, 2020, 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. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Guillozet, aye; Mr. Falcoski, aye; Mr. Seitz, aye; and Ms. Crane. The motion was approved.

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

1. **Variances – Side & Rear Yard Setbacks – Shed – 386 N. Selby Blvd. (James Whalen) BZA 45-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the R-10 (Low Density Residential) Zoning District in the Colonial Hills neighborhood. The lot is approximately 7,875 square feet in size and is 75-feet wide and 105-feet deep.

The applicant would like to construct an 80 sq. ft. shed 3-feet from the western and northern property line.

**Worthington Codified Ordinances:**

Section 1149.08(b) of the Worthington Codified Ordinances has the following regulations for accessory buildings:

- If the accessory structure is less 120 square feet, it must be setback at least 5-feet from the side yard lot line, and 5-feet from the rear lot line.

**Request:**

The applicant is requesting to install a shed in the required rear and side yard. A variance of 2-feet is required for the rear yard and side yard.

**Conclusions:**

The substantial character of the neighborhood should not be substantially altered as there are sheds in similar locations throughout the neighborhood. This factor may also lessen the impact of the variance request.

There is an existing 8-inch sanitary sewer line that runs east to west in an easement owned by the City that is located across the rear of the property that is 8-feet in width on the applicant's property that was previously an unimproved 16-foot wide alleyway.

- The Director of Service & Engineering will permit the shed to be located in the easement at a minimum of 5-feet from the rear property line with the condition that if the City needs to gain access to the sewer that it will not be at a cost to the City if the shed needs to be moved, but of the property owner.

The delivery of government services should not be affected, however there may be an impact if the City would need to access the sanitary sewer line. The following motion was recommended:

**Discussion:**

Mr. Brown swore in the applicant, Mr. James Whalen, 386 N. Selby Blvd., Worthington, Ohio. Mr. Whalen said the distance on both sides of the concrete pad was three feet. Board members had no questions or concerns. Ms. Crane asked if there were any callers or emails and Mrs. Bitar said no.

**Motion:**

Mr. Guillozet moved:

**THAT THE REQUEST BY JAMES WHALEN FOR A VARIANCE FROM CODE REQUIREMENTS FOR REAR AND SIDE YARD SETBACK TO CONSTRUCT A SHED AT 386 N. SELBY BLVD., AS PER CASE NO. BZA 45-2020, DRAWINGS NO. BZA 45-2020 DATED SEPTEMBER 15, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING WITH THE CONDITION THAT IF THE CITY NEEDS TO GAIN ACCESS TO THE SANITARY SEWER THAT IT WILL NOT BE AT A COST TO THE CITY IF THE PAD AND SHED NEEDS TO BE MOVED AND THAT IT WILL BE 3-FEET FROM THE REAR PROPERTY LINE.**

Mr. Coulter seconded the motion. Mr. Brown called the roll. Mr. Seitz, aye; Mr. Falcowski, aye; Mr. Coulter, aye; Mr. Guillozet, aye; and Ms. Crane, aye. The motion was approved.

**2. Variances – Signage – Book Locker – 820 High St. (Worthington Public Library) BZA 46-2020**

Mrs. Bitar reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background & Request:**

The Worthington Public Library purchased the site at the southwest corner of E. Stafford Ave. and Hartford St. in 1973 and received approval to construct a new library in 1977 & 78. The library moved from 752 High St. to 805 Hartford St. in 1979. In 1993, the library purchased the office building adjacent to the west at 820 High St. That site was home to a gas station starting in the 1930's, with the current building being constructed in 1977 as a First Federal Savings and Loan. In 1996, the buildings were combined and renovated for use by the Worthington Libraries. Additional modifications were made in 2007.

The library was approved by the Architectural Review Board in September to replace the exterior book lockers. Variances are now requested to accommodate those lockers.

**Project Details:**

1. The existing book lockers are near the library entrance on the south side of the building, and on a west facing wall. The lockers can be accessed on the inside by library workers and on the outside by patrons. The technology for these lockers is reportedly obsolete and cannot be upgraded. These lockers would be removed, and the inside and outside walls are to be repaired to match the existing walls.
2. Proposed are a bank of lockers that will be exclusively on the exterior. The roof overhang of the building would not adequately cover the units, so a slanted roof structure is proposed on top of the lockers. The entire unit is proposed to be white, with the roof material being a shaded plexiglass. Library staff would like the lockers to be wrapped in a cover that would identify the library, making use of the colors and characters used elsewhere in the library.
3. Variances would be needed for the number of colors and for the digital screen.

**Worthington Codified Ordinances:****1170.03 DESIGN REQUIREMENTS.**

(a) Movement. No sign shall incorporate movement or the illusion of movement. Pennants, streamers, banners, and other non-rigid devices are prohibited. Business flags are an exception.

(b) Illumination. Internally illuminated signs shall be constructed so as to allow the illumination of only letters, numbers or other identifying symbols on the display surface. No light shall pass through the background. Internally illuminated signs shall not exceed the equivalent of an 800 milliamper fluorescent tube mounted not closer than twelve inches on center. External illumination shall be installed so that the light source is not visible from adjoining premises and does not illuminate such premises. No external light source shall be located or arranged so as to cause confusion or a hazard to traffic or conflict with traffic control signals. Flashing signs shall not be permitted.

(c) Styles. Signs shall be comprised of not more than two styles of lettering plus one logo. A logo is an emblem, character, pictograph, trademark or symbol used alone to represent a business, organization, entity or product. There shall be not more than three sizes of all such lettering, including a logo.

(d) Colors. Not more than four colors, including black and white, shall be used on any sign.

**Recommendation:**

Staff recommended approval of this application as the proposed graphics and illuminated digital screen would not harm the character of the neighborhood.

**Discussion:**

Mrs. Bitar swore in the applicant, Ms. Monica Baughman, the Director of Support Services for the Worthington Library, 820 High St., Worthington, Ohio. Board members did not have any questions or concerns. Ms. Crane asked if there were any callers or emails and Mrs. Bitar said no.

**Motion:**

Mr. Coulter moved:

**THAT THE REQUEST BY THE WORTHINGTON PUBLIC LIBRARY FOR VARIANCES TO INSTALL A NEW BOOK LOCKER WITH GRAPHICS AND A VIDEO SCREEN AT 820 HIGH ST. AS PER CASE NO. BZA 47-2020, DRAWINGS NO. BZA 47-2020, DATED OCTOBER 5, 2020, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Falcoski seconded the motion. Mr. Brown called the roll. Mr. Seitz, aye; Mr. Guillozet, aye; Mr. Falcoski, aye; Mr. Coulter, aye; and Ms. Crane. The motion was approved.

**3. Variance – Front Yard Setback – Fence – 1105 Beechview Dr. (Alainna Greene)  
BZA 47-2020**

Mrs. Bitar reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the R-10 (Low Density Residence) Zoning District. The surrounding properties are also single-family homes in the R-10 District. The neighborhood was originally developed in 1954 in Perry Township without curb and gutters. Due to annexation, the neighborhood is now a mix of Worthington, Columbus, and Perry Township.

The property in question is larger than the typical lot size seen in the R-10 district; the minimum lot size requirement is 10,400 square feet, while this property is approximately 58,300 square feet. The right-of-way is 50' in width and this property is located approximately 16' from the street.

The applicant received approval of a variance to allow the retention of a pond at the southeast corner of the property in the required front yard.

**Request:**

1. The applicant is proposing to install a wood cattle style fence at the right-of-way line and returning along both property lines to connect to existing fencing, ultimately enclosing the property. With placement at the right-of-way line, the fence would be about 16' from the street. The Code requirement is for any fencing to be out of the 30' required front yard, which would be measured from the right-of-way line.
2. The owners would like for the fence to provide a barrier to the pond but do not want to have it so far back that it is installed in water. They also want to the enclose as much lawn area as possible to allow a large dog to run free. If the fence will not be acceptable at the right-of-way line, the owners would propose it be located 9' from the line which would be about 25' from the street.

**Worthington Codified Ordinances:**

1180.02 "R" DISTRICTS.

(a) In any "R" District, no fence or wall shall be erected in the area between the right of way line and the building setback line except for a wall necessary to accommodate differences in grade. No fence or wall in an "R" district shall exceed a height of six feet.

**Conclusions:**

Staff recommended modification of this application. The essential character of the neighborhood may be altered with the addition of a fence across the front of this property, as fences are not typically located that close to the right-of-way. If the fence was set back further, it may be acceptable. The delivery of government services may be affected with the fence at the right-of-way line.

**Discussion:**

Mrs. Bitar swore in the applicant, Mrs. Alainna Greene, 1105 Beechview Dr. S., and Mr. Josh Greene, 1105 Beechview Dr. S., Worthington, Ohio. Mr. Greene said the lot is a bit goofy, their door does not face the street, their side yard is their front yard. The unfinished fence posts in the photograph are their fence posts, and that is where the cattle fence would begin. The city trees were planted at 16 feet from the street, and thirty five feet back would put the fence in the middle of where the drain tile is so they did not want to put the fence in the middle of the yard where the ponding would be. Mrs. Greene said there is a pipe from Linworth Road Park that runs through their neighbor's yard and their yard and then runs to the river and do not want to break the pipe. Mr. Seitz asked Mr. Greene to clarify where they wanted to place the fence. Mr. Greene explained the fence would be in front of the tree. He said there is already electric in place in the event they wanted to add a gate or lights in the future. The Board and the applicants agreed on a modified location for the fence. Ms. Crane mentioned there was an email submitted earlier to the Board members from the neighbor, Mr. Gazarra. There were no other callers or emails.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY ALAINNA GREENE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR INSTALLATION OF A FENCE IN THE REQUIRED FRONT YARD AT 1105 BEECHVIEW DR., AS PER CASE NO. BZA 47-2020, DRAWINGS NO. BZA 47-2020 DATED OCTOBER 8, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING TO MATCH THE REVISED SKETCH PRESENTED AT THE MEETING BY MR. SEITZ.**

Mr. Coulter seconded the motion. Mr. Brown called the roll. Mr. Guillozet, nay; Mr. Falcoski, aye; Mr. Seitz, aye; Mr. Coulter, aye; and Ms. Crane, aye. The motion was approved.

**D. Other**

There was no other business to discuss.

**E. Adjournment**

Mr. Guillozet moved to adjourn the meeting, and Mr. Seitz seconded the motion. All Board members voted, "Aye," and the meeting adjourned at 8:34 p.m.