



MINUTES OF THE REGULAR MEETING
BOARD OF ZONING APPEALS
VIRTUAL MEETING

May 6, 2021

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, member; and Michael Coulter, Representative from the MPC. Also present were Lee Brown, Director of Planning & Building; and Lynda Bitar, Development Coordinator.
2. Approval of Minutes of the April 1, 2021 meeting

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

B. Items of Public Hearing

1. **Variance** – Accessory Structure Area – Shed – **6557 Olentangy River Rd.** (Kira Brunton) **VAR 14-2021**

Mr. Brown reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This home is located on 3.5-acres in the R-16 District (Very Low Density Residential) and is one of the two homes located west of the Bainbridge Condominiums accessed by Whielden Dr., however it does have an Olentangy River Rd. address. The 3,133 sq. ft. modern farmhouse was constructed in 2014 with an attached 2-car garage of 471.5 sq. ft. There is an existing 280 sq. ft. detached 1-car garage and an existing 30 sq. ft. chicken coop for a total accessory structure area of 781.5 sq. ft. The applicant would like to construct a 10'x14' (140 sq. ft.) located 20-feet from the northern and western property line. The proposed shed would cause the accessory structure area to exceed the maximum square footage permitted by approximately 72 sq. ft.

The applicant stated that the additional square footage is needed for lawncare and personal recreational equipment.

Worthington Codified Ordinances:

Section 1149.08(b) of the Worthington Codified Ordinances states, “In any “R” District, the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area”.

Request:

The applicant is requesting to construct a 140 sq. ft. shed. A variance of 72 sq. ft. is required.

Project Details:

1. Construct a 10’x14’ (140 sq. ft.) shed to be used for personal storage.
2. The applicant’s proposal is to construct a shed 20-feet from the northern and western property lines. Code requires the shed to be a minimum of 8-feet from the side property line and 10 feet from the rear property line.

Conclusions:

The variance request is not substantial.

The variance would allow for additional space for storage of lawncare and personal recreational equipment.

The essential character of the neighborhood would not be altered as the lot 10 times the size of the required lot size for the R-16 zoning district. The surrounding zoning is a mix of R-10 (Low Density Residential), R-16 (Very Low Density Residential) and AR 4.5 (Low Density Apartment Residence).

The adjacent home received a variance in 1982 and 1984 for the construction of a 1,552 sq. ft. detached accessory structure in addition to the existing 576 sq. ft. attached garage for a total accessory structure size of 2,128 on 2.32-acres. The maxim accessory structure size in 1982 and 194 was 750 sq. ft. This section was increased to 850 sq. ft. in 2005.

The shed exceeds the setback requirements from property lines.

The shed will not be visible from the public right-of-way as the property is accessed by a private drive from Olentangy River Rd.

The lot is 10-times the size of similar lots found in the R-16 District, however there are some 2+ acre parcels to the east and south.

The shed appears to be compatible in materials and appearance to the other buildings.

The delivery of governmental services should not be affected.

Discussion:

Mr. Brown referenced an updated square footage that was not referenced in the application.

Mr. Brown swore in the applicant, Mrs. Kira Brunton, 6557 Olentangy River Rd., Worthington, Ohio. Board members did not have any questions or concerns. Mr. Brown said city staff received an email from Mr. Mick Ball, who is a resident that lives north of the property. The email was forwarded on to the Board members. Mr. and Mrs. Ball were in support of the request. There was also a call from Mr. Mike Bona the resident of 897 Robbins Way. Mrs. Bitar said there were no other calls or emails.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY KIRA BRUNTON FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR THE CONSTRUCTION OF A SHED THAT WOULD CAUSE THE ACCESSORY STRUCTURE AREA TO EXCEED 850 SQ. FT. AT 6557 OLENTANGY RIVER RD. AS PER CASE NO. VAR 14-2021, DRAWINGS NO. VAR 14-2021 DATED MARCH 12, 2021 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. Guillozet, aye; Mr. Coulter, aye; Mr. Falcoski, aye; Mr. Seitz, aye; and Mrs. Crane, aye. The motion was approved.

2. Variance – Side Yard Setback – Fence – 543 Loveman Ave. (Tyler Durbin) VAR 15-2021

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 surrounding properties are all located in the R-10 District. The lot is located on the corner of Loveman Ave. and Forest Ave. The house is located 30 to 32-feet from Loveman Ave. and 18-feet from Forest Ave. rights-of-way. The applicant would like to install a new 4' high aluminum fence around the property, however the fence is proposed to encroach approximately 11-feet into the setback along Forest Ave.

Worthington Codified Ordinances:

Section 1149.08 (a): At corner lots, no accessory uses, accessory structures, structures, material or equipment storage shall be located in any required front yard. Side yards fronting on the adjacent street can be reduced to two-thirds of the required front setback from the right of way of the adjacent street. The required setback for this property along Forest Ave. is 20'.

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.

Request:

The applicant is seeking approval to construct a fence that would extend approximately 11-feet into the required setback along Forest Ave. A variance of 11-feet is requested, where 20-feet is required.

Project Details:

1. The proposed fence is a 4' high aluminum open style fence.
2. Located 9-feet from the from the side yard setback along Forest Ave.

Conclusions:

The existing public right-of-way is approximately 12-feet from the property line; therefore, the fence will be located approximately 21-feet from the edge of pavement.

It is not uncommon to see fences on corner lots throughout Colonial Hills.

The style of fencing is an open style fence and does not create a closed in feeling or a site distance issue for those entering and exiting the site.

The current property owner has undertaken a large cleanup of overgrown vegetation on the site.

The essential character of the neighborhood should not be substantially altered.

The delivery of government services should not be affected by the installation of the fence.

Discussion:

Mr. Brown swore in the applicant, Mr. Tyler Durbin, 543 Loveman Ave., Worthington, Ohio. Board members did not have any questions or concerns. Mr. Brown said there were no emails or callers.

Motion:

Mr. Guillozet moved:

THAT THE REQUEST BY TYLER DURBIN FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR THE INSTALLATION OF A FENCE AT 543 LOVEMAN AVE., AS PER CASE NO. VAR 15-2021, DRAWINGS NO. VAR 15-2021 DATED, MARCH 19, 2021, 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. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Falcoski, aye; Mr. Seitz, aye; Mr. Guillozet, aye; and Mrs. Crane, aye. The motion was approved.

3. **Variance – Accessory Structure Area – Storage/Shelter Building & Pergola – 5971 Olentangy River Rd. (Christina Corl) VAR 16-2021**

Mr. Brown reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This home is located on 1.32-acres in the R-10 District (Low Density Residential) at the intersection of Olentangy River Rd. and Cambridge Ct. The 2,358 sq. ft. farmhouse was constructed in 1883. There is an existing 796 sq. ft. detached garage and carport to the rear of the property. The applicant would like to construct an 18'x38' (684 sq. ft.) storage/shelter (pool house) and a pergola of approximately 300 sq. ft. for a total accessory structure square footage of 1,780 sq. ft. that is part of a larger project to install a new pool, pergola with fireplace, fencing and other outdoor improvements. The pool house will be 16-feet from the western property line. The proposed pool house and pergola would cause the accessory structure area to exceed the maximum square footage by approximately 930 sq. ft.

The applicant stated that the additional square footage is needed for pool equipment and to use the space as a shelter for outdoor activities.

In 2017 the Board approved a variance request to permit the installation of a fence in the front and side yard setback.

Worthington Codified Ordinances:

Section 1149.08(b) of the Worthington Codified Ordinances states, “In any “R” District, the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area”.

Request:

The applicant is requesting to construct a pool house and pergola that is 984 sq. ft. for a total square footage of 1,780 sq. ft. on the site. A variance of 930 sq. ft. is required.

Project Details:

1. Pool house will be 18'x38' (684 sq. ft.) in size and 16-feet from the rear property line.
2. Pergola will be 15'x20' (300 sq. ft.) and open air with a fireplace.
3. A new inground pool and patio is also proposed as part of the overall outdoor improvements.

Conclusions:

The variance request is substantial; however, the size of the lot is 5 times the size of the surrounding parcels.

The variance would allow for additional space for storage of pool equipment and personal shelter associated with the other improvements occurring on the site.

The pool house will be constructed 16-feet from the western property line. Code requires the accessory structure to be located a minimum of 10-feet from the property line. The proposal exceeds the minimum requirement.

The pergola is open air and is 300 sq. ft. of the proposed accessory structure size.

The essential character of the neighborhood would not be altered as the lot 5 times the size of the required lot size for the R-10 zoning district. The surrounding zoning is R-10 (Low Density Residential), however the parcels on the east side of Olentangy River Rd. are larger in size than the lots to the north, west and south. Antrim Park is located across the street.

The pool house will not be visible from the public right-of-way as the property is heavily wooded and has fencing along Olentangy River Rd.

The lot is 5-times the size of similar lots found in the R-10 District, however there are some 2+ acre parcels to the northeast.

The pool house and pergola appear to be compatible in materials and appearance to the other buildings.

The delivery of governmental services should not be affected.

Discussion:

Mr. Falcoski said before they began the discussion he was going to recuse himself from discussing this Agenda item because he had a personal connection to it. Mr. Brown swore in the applicant, Mrs. Christina Corl, 5971 Olentangy River Rd., Worthington, Ohio. Board members did not have any questions or concerns. Mr. Brown said he received two emails from the neighbors, and both were in support of the project and both of those emails were forwarded to the Board members earlier. Mrs. Corl said she had spoken with all her neighbors and all were in support of the project. Mrs. Crane asked if there were any additional emails or callers and Mr. Brown said no.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY CHRISTINA CORL FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR THE CONSTRUCTION OF A POOL HOUSE AND PERGOLA THAT WOULD CAUSE THE ACCESSORY STRUCTURE AREA TO EXCEED 850 SQ. FT. AS PER CASE NO. VAR 16-2021, DRAWINGS NO. VAR 16-2021 DATED MARCH 24, 2021 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. Mr. Brown called the roll. Mr. Guillozet, aye; Mr. Coulter, aye; Mr. Seitz, aye; and Mrs. Crane, aye. The motion was approved.

4. **Variance – Rear Yard Setback – Pavilion and Seat Wall – 6930 Candace Pl. (Stevens Sommer) VAR 17-2021**

Mr. Brown reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This 3,069 sq. ft. home was built in 1986 and is in Perry Highlands subdivision, which is located in the R-10 District (Low Density Residential). Several homes in this subdivision have their backyards back to Linworth Rd., however these lots do not have vehicular access to Linworth Rd.

The owners would like to replace the existing deck with a new patio, pavilion, and stone seat wall to the rear of the home that would encroach into the rear yard setback.

Worthington Codified Ordinances:

Section 1149.01 states the required rear yard setback is to be 30' from the lot line.

Request:

The applicant is requesting to be 27-feet from the required rear yard of 30-feet. A variance of 3-feet is required.

Project Details:

1. The pavilion is approximately 14'x14' with an average height of 8.5' with a max height of approximately 12.5' to the peak of the pavilion. Please see attached materials.
2. The stone wall will be Yukon Ledge and will vary from 3-feet to 4-feet in height. Please see attached materials.

Conclusion:

The essential character of the neighborhood should not be substantially altered with this encroachment.

The area of encroachment is not highly visible from the public right-of-way of Linworth Rd. There is an existing landscaped mound with vegetation and trees that screens the rear of the house from Linworth Rd.

Linworth Rd. has a larger public right-of-way than normal, the western side of Linworth Rd. has approximately 38-feet of public right-of-way that includes a sidewalk and street trees. The proposed patio and pavilion will be located approximately 65-feet from the edge of Linworth Rd.

No public utilities are in the area of encroachment.

The delivery of governmental services should not be affected.

Discussion:

Mr. Brown swore in the applicant, Mr. Stevens Sommer, 6930 Candace Pl., Worthington, Ohio. Board members did not have any questions or concerns. Mrs. Crane asked if there were any emails or callers and Mr. Brown said no.

Motion:

Mr. Coulter moved:

THAT THE REQUEST BY STEVENS SOMMER FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A PATIO, PAVILION AND STONE SEAT WALL TO BE CONSTRUCTED AT 6930 CANDACE PL., AS PER CASE NO. VAR 17-2021, DRAWINGS NO. VAR 17-2021 DATED MARCH 24, 2021, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

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

- 5. **Variance** – Front Yard Setback – Fence, Pergola, Hot Tub, Walls, Railing, Fireplace – **28 W. Granville Rd.** (Oakland Design Associates/Lahue) **VAR 18-2021**

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is at the corner of the northwest Village Green Dr. and W. Granville Rd. The lot is 107.25’ wide along W. Granville Rd. and 67.1’ deep for total area of 7196 square feet. The 2518 square foot Dutch Colonial house was constructed in 1913 and added onto and renovated in the late 1990’s. The right-of-way for Granville Rd. is 100’ wide and a 50’ setback is required. The house is approximately 50’ from the street. This application is a request to renovate the west side yard.

Worthington Codified Ordinances:

1149.07 SETBACK OF BUILDINGS ON PRINCIPAL STREETS AND HIGHWAYS.

The setback for all buildings and accessory buildings along major traffic routes shall be:

- (b) Along regional thoroughfares: 50 feet

Request:

Variations are needed for the proposed structures that are within 50’ of the W. Granville Rd. right-of-way. The fence and pergola would be the closest structures, being about 19’6” from the property line or 30’6” into the required front yard.

Project Details:

- 1. The current yard area is enclosed with a scalloped wood picket fence, and concrete steps from the house to a patio that is overgrown with vegetation.

2. New stone steps are proposed from the house, leading to a two-tiered patio. The top level would have an eating area under a 12' high cedar pergola with a curved top at the south end and a hot tub to the north. A 4' high scalloped fence is proposed to run next to the pergola and return to the southwest corner of the house. The lower level is proposed on the north side of the yard, and would have a fireplace, an outdoor kitchen, seat walls (with storage under) and a water feature. Bluestone is proposed for the walking surfaces and the other structures would also be built with stone.
3. The plan shows the old fence would be removed and instead new planting beds would be at the perimeter of the yard. Several large trees would remain on the south side of the yard and several would be removed from the northwest corner of the property.
4. The Architectural Review Board approved the proposal at its March 11, 2021 meeting.

Conclusions:

Due to the size, orientation, and required setbacks for the house and lot, the only opportunity for usable yard space is on the west side of the house. The proposed design should create a semi-private space that is not terribly obtrusive for those in the right-of-way due to retention of the large trees that partially block the space, and the proposed new landscaping.

Although the structures would be in the required setback, they would still be about 50' from the street. The right-of-way in front of this property is 100' wide and the tree lawn is about 25' wide, which is greater than most residential properties in the City. Also, the existing house is at the same approximate setback.

The character of the neighborhood should not be altered with this proposal.

Discussion:

Mr. Coulter said when the Board reviewed the application at the Architectural Review Board hearing, one of the things they felt really good about was that this house would finally have an outdoor living space, where they can gather more than just a few people and enjoy the west side of their home. He said the Board was very happy with what they saw. Mrs. Bitar swore in the applicant, Ms. Christine Lahue, 28 W. Dublin-Granville Rd., Worthington, Ohio. Board members did not have any questions or concerns. Mrs. Crane asked if there were any emails or callers and Mrs. Bitar said no.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY OAKLAND DESIGN ASSOCIATES ON BEHALF OF DAVID AND CHRISTINE LAHUE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW STRUCTURES IN THE REQUIRED FRONT YARD AT 28 W. GRANVILLE RD. AS PER CASE NO. VAR 18-2021, DRAWINGS NO. VAR 18-2021, DATED MARCH 30, 2021, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

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

6. **Variance** – Side Yard Setback – Garage & Fence – **23 E. Southington Ave.** (Tim & Raean Cavener) **VAR 19-2021**

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This house was constructed in 1941 on a lot that was part of the Colonial Hills subdivision. The 0.26 acre lot is the first residential lot on the south side of E. Southington Ave. and is adjacent to an alley on the west side that serves one commercial property and several residences. The house was constructed with an attached garage that has since been converted to living space. The existing house is as close as 6' to the alley right-of-way. A new garage is proposed that would have the same access on the alley as is there now. Also, a new section of fencing is shown at the southwest corner of the house.

Worthington Codified Ordinances:

1149.08 SPECIAL YARD REQUIREMENTS.

(a) At corner lots, no accessory uses, accessory structures, structures, material or equipment storage shall be located in any required front yard. Side yards fronting on the adjacent street can be reduced to two-thirds of the required front setback from the right of way of the adjacent street. The required setback from the alley is 20'.

(b) No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any "R" District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

Request:

Variances are requested to allow the garage and fence to extend into the required 20' setback along the alley. The garage would be as much as 14' into the side yard and the fence would start 5' into the required 20' side yard. Both structures would continue at an angle to the southeast, away from the alley.

Project Details:

1. The 22' x 24' garage is proposed at an angle to the west property line, being 6' to 10'

from the alley. Location is shown south of the house and preservation of some trees would be possible with the proposed placement. The 1 ½ story garage is designed with board and batten vinyl siding and a metal gabled roof to resemble an addition on the house. A stone wall runs along the alley.

2. An 8' section of 6' high fencing is proposed to extend from the southwest corner of the house to hide trash and recycling bins. The fence would start at 15' from the property line and extend at the same angle as the house, away from the alley.

Conclusions:

The proposed garage would be far enough from the alley as to not interfere with traffic and would allow trees to remain.

The fence would be farther away from the right-of-way than the existing house and should not cause a problem.

Discussion:

Mrs. Bitar swore in Mr. James McCallister, on behalf of 23 E. Southington Ave., Worthington, Ohio. Mr. McCallister said he would be helping the homeowners build the garage. He stated that his address is 159 Northigh Dr., Worthington, Ohio. Mr. Guillozet asked if they would be keeping the stone wall and Mr. McCallister said yes. Board members had no other questions or concerns. Mrs. Crane asked if there were any emails or callers and Mrs. Bitar said no.

Motion:

Mr. Falcoski moved:

THAT THE REQUEST BY TIM AND RAEAN CAVENER FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW A GARAGE AND FENCE IN THE REQUIRED SIDE YARD AT 23 E. SOUTHINGTON AVE. AS PER CASE NO. VAR 19-2021, DRAWINGS NO. VAR 19-2021, DATED MARCH 31, 2021, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

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

7. **Variance** – Side Yard Setback – Addition/Garage – **348 N. Selby Blvd.** (Scott Waters/Lindley) **VAR 20-2021**

Mr. Brown reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 District (Low Density Residential) in Colonial Hills. The surrounding properties are also in the R-10 Zoning District. This 1,578 sq. ft. single-family

home was constructed in 1942 on the north side of N. Selby Blvd. The applicant would like to undertake the construction of an addition of approximately 600 sq. ft. and remodel that would include expanding the existing 1-car garage to a 2-car garage and adding living space that would encroach into the side yard setback.

Worthington Codified Ordinances:

Section 1149.01 states the required side yard is 8-feet.

1149.06 Architectural Projections.

(a) Cornices, eaves, sills, canopies or similar projections may extend or project into required side yards not more than two inches for each one foot of width of such side yard and may extend or project into a required front or rear yard not more than thirty inches. Bay windows and chimneys may project into a required front, side or rear yard not more than eighteen inches provided the side yard is not reduced to less than six feet.

Request:

The applicant is seeking approval to construct an addition to the garage and living space that would extend approximately 3-feet into the required side yard on the western side of the property, or 5.1-feet from the property line.

Project Details:

1. The proposed addition would include expanding the garage and interior living space inside the home.
2. The existing house is located 10.8-feet from the western property line and 16.5-feet from the eastern property line.
3. Approximately 43.6-feet of the addition will encroach into the side yard setback to 5.1-feet. The rear portion of the addition steps back an additional 5.8-feet to over 10-feet from the side yard setback.
 - a. *Clarification is needed that the western overhang on the portion of the new addition will not exceed 10-inches in the area that will be 5.1-feet from the western property line.*
4. The property owner will also be adding additional concrete to widen the driveway in front of the 2-car garage.
 - a. The Service & Engineering Department stated that the existing curb cut needs to remain as it is today.
 - i. This matches with the site plan submitted by the applicant.

Conclusion:

The essential character of the neighborhood should not be substantially altered with this encroachment. Encroachments into the side yard setback are found throughout Colonial Hills. This request would not be out of character.

This is an existing lot of record that is 65-feet in width and approximately 12,632 sq. ft. in size. Current Code requires lots in the R-10 District to have 80-feet of frontage with a minimum lot size of 10,400 sq. ft. This section of Colonial Hills was platted in 1941 prior to annexing to the City of Worthington.

The property is located near the intersection of E. Selby Blvd. and N. Selby Blvd. across from Selby Park.

The location of the home across the street from Selby Park and the Selby Park shelter house can also make parking difficult at times depending on activity at the park. The ability to have additional off-street parking and storage in this location is key.

No public utilities are in the area of encroachment.

The delivery of governmental services should not be affected.

Discussion:

Mr. Brown swore in the applicant, Mr. Scott Waters, 5126 Wildcat Falls Dr., Dublin, Ohio. Mr. Waters said he clarified with their general contractor that they are planning to use the 10" request for the overhang and they will be able to stay under that. In reference to the question about the tree, part of the roots for that tree are under the sunroom, so the tree will need to be removed. The tree is also in the way of overhead power lines and not in a great position. Mr. Waters said he knew there were some emails with concerns and wanted to address those. He said one of the neighbors on Greenwich Street had some concerns about the variance request for yard space. Mr. Waters said there was no intention of hiding what they were doing. His grandmother owns the home, but she is not well enough to be living there and his parents were on the call representing her. He said he and his wife would like to keep ownership of this place and move into it and make this house their home. Mr. Waters said they talked with all the adjacent neighbors and let them know who they were and what they wanted to do, including the tenants of the homeowner that had the concerns. He said he left a letter for the owner. The neighbor was concerned about the loss of green space however, the addition is only 6 feet, so the variance request is for only 3 feet. They plan for this house to be their forever home and keep the property in the family. Mrs. Crane asked if this is to be a single-story structure in height, and Mr. Waters said yes. Mrs. Crane asked if he spoke with the contractor about moving the garage to the back of the property and Mr. Waters said that was not possible without demolishing more of the house. The lot is too narrow to add the driveway. Mrs. Crane asked if there were any additional emails or callers and Mr. Brown said no.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY SCOTT WATERS ON BEHALF OF JEAN LINDLEY FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR THE CONSTRUCTION OF AN ADDITION AT 348 N. SELBY BLVD., AS PER CASE NO. VAR 20-2021, DRAWINGS NO. VAR 20-2021 DATED, MARCH 31, 2021, 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. Mr. Brown called the roll. Mr. Falcoski, aye; Mr.

Guillozet, aye; Mr. Coulter, aye; Mr. Seitz, aye; and Mrs. Crane, aye. The motion was approved.

8. **Variance – Side & Rear Yard Setback – Shed – 571 Park Blvd. (David Hayes) VAR 21-2021**

Findings of Fact & Conclusions

Background & Request:

This property is in the R-10 District (Low Density Residential) in Colonial Hills. The surrounding properties are also in the R-10 Zoning District. This 1,704 sq. ft. single-family home was constructed in 1942 on the south side of Park Blvd. The applicant would like to construct a 10’x14’ (140 sq. ft.) shed to the rear of the site 5-feet from the rear and side property line where Code requires 8-feet and 10-feet for an accessory structure 140 sq. ft. and over in size.

Worthington Codified Ordinances:

1149.08(b) Special Yard Requirements

No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any “R” District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

Request:

The applicant is requesting the shed to be 5-feet from the side and rear lot lines. A variance of 3-feet is required for the side yard and 5-feet for the rear yard.

Project Details:

1. The shed will be 10’x14’ (140 sq. ft.)
 - a. *Clarification needed on the size of the shed. The application states 10’x14’, however the supporting statement references a 10’x12’ shed.*

Conclusions:

The shed will not be visible from the public right-of-way as it is to the rear of the rear of the property.

The shed is replacing an existing shed that was demolished in a similar location.

The essential character of the neighborhood should not be substantially altered. Sheds and/or detached garages being 5-feet from the side and rear lot lines is not uncommon in Colonial Hills.

The 5-feet will still permit the applicant the ability to maintain the shed and the area around the shed without creating a maintenance issue.

This is an existing lot of record that is 53-feet in width and approximately 8,215 sq. ft. in size. Current Code requires lots in the R-10 District to have 80-feet of frontage with a minimum lot size of 10,400 sq. ft. This section of Colonial Hills was platted in 1941 prior to annexing to the City of Worthington.

The delivery of government services should not be affected.

Discussion:

Mr. Brown swore in the applicant, Mr. David Hayes, 571 Park Blvd., Worthington, Ohio. The shed will be 10' by 14.' Board members did not have questions or concerns. Mrs. Crane asked if there were any emails or callers and Mr. Brown said no.

Motion:

Mr. Guillozet moved:

THAT THE REQUEST BY DAVID HAYES FOR A VARIANCE FROM CODE REQUIREMENTS TO CONSTRUCT A SHED IN THE SIDE AND REAR YARD SETBACK AT 571 PARK BLVD. AS PER CASE NO. VAR 21-2021, DRAWINGS NO. VAR 21-2021, DATED MARCH 31, 2021, 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. Mr. Brown called the roll. Mr. Falcoski, aye; Mr. Coulter, aye; Mr. Seitz, aye; Mr. Guillozet, aye; and Mrs. Crane, aye. The motion was approved.

9. Variance – Side Yard Setback – Fence – 255 Kenbrook Dr. (Jared McAlister/Malone) VAR 22-2021

Mr. Brown reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 District (Low-Density Residential) in the Colonial Hills Neighborhood. The surrounding properties are all located in the R-10 District. The lot is located on the corner of Kenbrook Dr. and Foster Ave. The house is varies from 36-feet to 46-feet from Kenbrook Ave. and 35-feet from Foster Ave. rights-of-way. The applicant would like to install a new 4' high wood picket fence around the property, however the fence is proposed to encroach approximately 20-feet into the setback for Forest Ave.

Worthington Codified Ordinances:

Section 1149.08 (a): At corner lots, no accessory uses, accessory structures, structures, material or equipment storage shall be located in any required front yard. Side yards fronting on the adjacent street can be reduced to two-thirds of the required front setback from the right of way of the adjacent street. The required setback for this property along Forest Ave. is 20'.

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.

Request:

The applicant is seeking approval to construct a fence that would extend approximately 20-feet into the required setback along Forest Ave. A variance of 20-feet is requested, where 20-feet is required.

Project Details:

1. The proposed fence is a 4' high wood picket fence.
2. Located 0-feet from the from the side yard setback along Foster Ave.
 - a. The site plan provided by the applicant appears to show the fence being placed at the property line.
 - i. *Clarification needed on the exact location of the fence.*

Conclusions:

The existing public right-of-way is approximately 10-feet from the property line; therefore, the fence will be located approximately 10-feet from the edge of pavement.

It is not uncommon to see fences on corner lots throughout Colonial Hills.

The style of fencing is an open style fence and does not create a closed in feeling or a site distance issue for those entering and exiting the site.

The essential character of the neighborhood should not be substantially altered.

The delivery of government services should not be affected by the installation of the fence.

Discussion:

Mr. Brown swore in the applicant, Mr. Jared McCallister, 254 Kenbrook Dr., Worthington, Ohio. Mr. McCallister said his client would like to connect to the existing chain link fence that is encroaching into the service alley that was supposed to be there. The homeowner would like to block off the back of his yard for his dog. Board members did not have any questions or concerns. Mrs. Crane asked if there were any speakers.

Mr. Brown swore in Mr. David Patton, 238 E. Selby Blvd., Worthington, Ohio. He said he lives on the northwest corner of Foster Ave. and Selby Blvd. Mr. Patton said he was in support of the project. There were no other callers or emails.

Motion:

Mr. Coulter moved:

THAT THE REQUEST BY JARED McCALISTER ON BEHALF RYAN MALONE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR THE INSTALLATION OF A FENCE AT 255 KENBROOK AVE., AS PER CASE NO. VAR 22-2021, DRAWINGS NO. VAR 22-2021 DATED, APRIL 1, 2021, 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. Mr. Brown called the roll. Mr. Guillozet, aye; Mr. Falcoski, aye; Mr. Seitz, aye; Mr. Coulter, aye; and Mrs. Crane, aye. The motion was approved.

C. Other

There was no other business to discuss.

D. Adjournment

Mr. Guillozet moved to adjourn the meeting and Mr. Coulter seconded the motion. All Board members voted, "Aye," and the meeting adjourned at 8:31 p.m.