

MINUTES OF THE REGULAR MEETING  
OF THE  
WORTHINGTON BOARD OF ZONING APPEALS  
October 6, 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, R. Dorothy, D. Falcoski and R. Hunter. Also present was D. Phillips, Chief Building Inspector.

Those present recited the Pledge of Allegiance.

Motion made by Ms. Dorothy to approve September 1, 2011 minutes. Mr. Falcoski seconded the motion and all members voted "aye" thereon.

Ms. Crane asked those who plan to speak to fill out a speaker slip and to be sworn. Mr. Phillips swore in the witnesses prepared to comment at the meeting.

AGENDA ITEM B-1. Variances – Parking Lot Requirements – 6225 Huntley Rd. (The Quikrete Companies, Inc.) BZA 16-2011

Mr. Phillips stated this property is in an I-2 district with a minimum requirement of two inches of tree trunk diameter measured at breast height for each six parking places. Parking is not permitted in the forty foot front yard setback and five or more vehicles must be on a paved surface of asphalt or concrete. The applicant is proposing many site alterations including landscaping and additional parking along Huntley Road and south of the existing warehouse. These alterations include trees between the existing parking and the Huntley Road right of way and adjacent to the proposed parking, but not within the existing and proposed parking areas. The requested variance is to allow the parking lot addition without the required tree trunk diameter at breast height, adding parking within the forty foot setback and allowing a non asphalt or non concrete parking surface.

Mr. Phillips continued to say that the majority of the site work centers around improving semi-trailer traffic flow and includes leasing the use of the access drive to Huntley Bowl Park south of the property from Worthington. The new site plan will allow queued semi-trailers waiting to load on Huntley Road to sit on site and out of the turn lane of Huntley Road. There is a significant amount of proposed tree trunk including three Western Cedars, three Blue Spruces, seven Hornbeams and a Norway spruce is on the proposed landscape plan. It is likely that the parking lot along Huntley Road will be paved, but the portion of the parking lot south of the warehouse is still in negotiations between the City of Worthington and Quikrete. The site appears industrial and will continue to appear that way with or without trees in the parking lot, with or without parking in the set back and with or without the parking area being paved. These facts 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 stated that the Board is being asked to review a variance seeking to allow trees not in the parking lot, but along the perimeter and a parking lot inside the setback. Mr. Phillips said that is correct.

Ms. Crane asked for the applicant to address the Board. Mr. Phil Wegmiller, Quikrete, 6225 Huntley Rd, stated that they are looking to improve the flow of equipment on and off Huntley Road using the side road off Huntley Bowl. They also see an improvement by allowing parking on the south side of the warehouse and added safety for the motorist in and around the plant on Huntley Rd.

Ms. Crane asked for questions from the Board. Mr. Hunter stated he had experienced trucks waiting in the center lane to turn and how the trucks can obstruct view, so this is a good solution. Mr. Hunter continued with concerns of how small some of the vegetation will be at planting. Mr. Falcoski said the reason for the variance is not the size of the plantings, but its the location of the plantings.

Ms. Dorothy asked if the new parking is for employees or would occasional trucks be parked there. Mr. Wegmiller replied the parking is for the office staff, not truck parking, saying the intent is to move trucks off of Huntley Rd then off of Huntley Bowl as quickly as possible.

Ms. Carne asked if anyone in the audience wished to speak for or against the variance request.

Hearing no one, Ms. Dorothy moved:

**THAT THE REQUEST BY THE QUIKRETE COMPANIES, INC. FOR A VARIANCE FROM CODE REQUIREMENTS FOR PARKING LOTS TO ALLOW SITE ALTERATIONS AT 6225 HUNTLEY ROAD, AS PER CASE NO. BZA 16-2011, DRAWINGS NO. BZA 16-2011 DATED APRIL 18, 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 on Corner Lot – Fence – 332 Colonial Ave. (Lee’s Fencing/Fisher) BZA 31-11

Mr. Phillips gave to the board additional information, a survey showing the fence moving a few feet off of the right of way line which will not affect the nature of the variance. Photos showing the proposed location as relative to the site and because there is an alley on the north side, a rear yard setback variance is also required.

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum front yard & rear yard setback of thirty feet. Corner lots are permitted to reduce the adjacent side yard to twenty feet. The applicant is proposing to erect a sixty inch fence along the Greenwich Street right of way within the twenty foot side yard setback. That requested variance is twenty feet along Greenwich. There is also an alley to the north. That requested variance is thirty feet.

Mr. Phillips continued to say that the property is narrow and placing a fence outside the side yard setback would reduce the amount of fenced yard by approximately one-third, plus an additional portion from the rear alley. The proposed fence is an open style to ensure visibility through the fence and will stop at the existing dwelling. The dwelling provides more visibility concerns than the proposed fence and this particular stretch of Greenwich Street serves only the Colonial Hills Elementary parking lot. The grade of the property drops significantly from the back to the center, and rises significantly from the center to the front and a large portion of the fence will likely not be higher than thirty inches above the street grade. These circumstances mitigate the substantial nature of the variance request. The fence should not cause intersection sight distance issues. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked if the photo showing a white fence is only an example and not the actual fence, and Mr. Phillips replied that is correct.

Ms. Crane asked for the applicant to address the Board. Kristin Fisher, 332 Colonial Avenue stated they want the fence because they have a dog and children and this would help restrain them in the yard.

Paul Rogers, 5517 Driftwood Road, with Lee's Fencing stated because of mature trees on the property line they had to move the fence approximately four feet inside the property line and sixteen feet inside the curve line. Ms. Fisher said the existing split rail fence will be removed.

Ms. Crane asked Mr. Phillips to show the location of the alley. Mr. Phillips explained it is back by the school and is not a functioning alley. The alley is only eight feet and not the normal sixteen feet for an alley.

Mr. Falcoski asked if no variance was proposed the fence would have to be twenty feet from the side and thirty feet from the alley. Mr. Phillips replied that is correct. Mr. Hunter stated that the property owner would only have about a ten foot wide yard.

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

Hearing no one, Mr. Hunter moved:

**THAT THE REQUEST BY LEE'S FENCING, AND KRISTIN AND ROBERT FISHER FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO ALLOW THE ERECTION OF A FENCE AT 332 COLONIAL AVENUE, AS PER CASE NO. BZA 31-11, DRAWINGS NO. BZA 31-11 DATED SEPTEMBER 8, 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 and Rear Yard Setback – Shed – 347 E. Granville Rd. (Dan LaMacchia) BZA 32-11

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum setback requirement of ten feet from the rear and eight feet from the side property lines for sheds over 120 square feet in area. The applicant is proposing to place a twelve foot by fourteen foot shed three feet from the south and west property lines. The requested variances are seven feet for rear and five feet for side yard setback. The shed is subject to, and has been approved by, the Architectural Review Board.

Mr. Phillips continued to say that this property is narrow and shallow, which 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 for the applicant to address the Board. Dan LaMacchia, 347 East Granville Road had nothing further to add to staff 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. Falcoski moved:

**THAT THE REQUEST BY DAN LAMACCHIA FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE AND REAR YARD SETBACK TO ALLOW THE ERECTION OF A SHED AT 347 EAST GRANVILLE ROAD, AS PER CASE NO. BZA 32-11, DRAWINGS NO. BZA 32-11 DATED AUGUST 26, 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-4 – Variance – Side Yard Setback – Air Conditioners – 92 W. North St. (Thomas & Barbara Crane) BZA 33-11

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum side yard setback requirement of six feet. Condensing units must be installed in the rear of a dwelling, or on the side of a dwelling with screening and outside the side yard setback. The applicant recently replaced the existing condensers within the side yard setback. The requested variance is to allow the condensing units entirely in the side yard setback. The condensing units are subject to, and have been approved by, the Architectural Review Board.

Mr. Phillips said that the regulation of condensing unit location started in 1988. The property is narrow with limited rear yard placement options without extending the refrigerant and electrical lines that could affect unit performance. Staff has no record of any inquiries about the past or present location of the condensers. Staff concludes these facts 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 the applicant to address the Board. John Dickinson, 145 Glen Circle stated the house is oriented toward the back with large windows and the primary entry used is in the back. If the units were placed in the rear the only option would impede the entry. The new units are slightly further from the street than the original location. The owner will be planting a vegetation screen between the street and the units.

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. Hunter moved:

**THAT THE REQUEST BY THOMAS AND BARBARA CRANE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW AIR CONDITIONER CONDENSING UNITS AT 92 WEST NORTH STREET, AS PER CASE NO. BZA 33-11, DRAWINGS NO. BZA 33-11 DATED AUGUST 29, 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-5 – Variance - Side Yard Setback – Addition – 600 Morning St.  
(Residential Designed Solutions/Heinke & Green) BZA 35-11

Mr. Phillips stated this property is an existing lot of record in an R-10 district with a minimum side yard setback of six feet. The existing dwelling is located approximately 5.3 feet from the south property line. The applicant is proposing to build an addition on the existing foundation. The requested variance is 0.7 feet. The addition is subject to, and has been approved by, the Architectural Review Board.

Mr. Phillips continued saying the lot is narrow and the existing dwelling layout is not conducive for an addition to the rear and outside the setback. Staff did not find the variance request substantial. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked for the applicant to address the Board. Jim Wright, 7844 Flint Road with Design Solutions had nothing to add.

Ms. Crane asked for questions from the Board. Mr. Hunter stated the Architectural Review Board approved this proposal enthusiastically since it is such a large improvement to the property.

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

Hearing no one, Ms. Dorothy moved:

**THAT THE REQUEST BY RESIDENTIAL DESIGNED SOLUTIONS, VICKI HEINKE, AND KELLY GREEN, FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD SETBACK TO ALLOW THE CONSTRUCTION OF AN ADDITION AT 600 MORNING STREET, AS PER CASE NO. BZA 35-11, DRAWINGS NO. BZA 35-11 DATED SEPTEMBER 13, 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-6 - Variance – Signage – 800 High St. (Darrin Gray/Huntington Bank) BZA 36-11

Mr. Phillips stated this property is in a C-3 district with the following signage limitations: maximum total directional sign area of twenty square feet; a maximum height of three feet for directional signs; and one building mounted sign per business. The applicant is proposing the following: signage alterations to place/replace seven directional signs totaling thirty three square feet in area with a requested variance of thirteen square feet; three directional signs are proposed with approximately four inch tall post caps above the three foot directional sign and a requested variance of approximately four inches; four directional signs are proposed at six foot eight inches with a requested variance of three foot eight inches; and in addition to the rear entrance wall mounted sign, four additional wall mounted signs are proposed, two on the north ATM, one on the south ATM, and a “Welcome” sign on the building with requested variances of four additional wall mounted signs. The signage is subject to, and has been approved by, the Architectural Review Board.

Mr. Phillips continued saying this is a fairly large site with two ATM locations, a drive through, and a rear entrance for the majority of the parking. Additional directional signage seemed appropriate to staff. The majority of the additional wall mounted signs are related to the two ATM locations on opposite sides of the site and staff did not find the size and quantity to be excessive. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked for the total number of signs in the variance request. Mr. Phillips clarified the variance is for the amount of sign area on directional signs, not the number of signs. For wall mounted signs there is a limit of one for each business and they are asking for four additional wall mounted signs. Ms. Dorothy stated the variance is for an overage of thirteen square feet not the number of signs and Mr. Phillips replied that is correct.

Ms. Crane asked for the applicant to address the Board. John Stricker, 4035 Sharon Copley Road with Sign Vision stated the square footage includes both sides of the directional sides and the existing signs are not two sided.

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. Hunter moved:

**THAT THE REQUEST BY DARRIN GRAY AND HUNTINGTON BANK FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIGNAGE TO ALLOW THE INSTALLATION OF SIGNS AT 800 HIGH STREET, AS PER CASE NO. BZA 36-11, DRAWINGS NO. BZA 36-11 DATED SEPTEMBER 9, 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-7 – Variance - Temporary Office Trailer – 5750 N. High St. (Corna Kokosing Construction Co./St. Michael Church) BZA 34-11

Mr. Phillips stated this property is in an S-1 district and office trailers are subject to Architectural Review and setback requirements. The Worthington Design Guidelines typically does not support office trailers. A Temporary Use Permit is valid for six months and can be renewed one time for an additional six months. The applicant applied for and was granted a Temporary Use Permit for an office trailer on February 3, 2011 to begin when the Certificate of Occupancy for the trailer was issued. That certificate was issued on March 24, 2011. The trailer houses the parish office on a temporary basis until an addition to the existing building is constructed. The applicant is proposing a variance from the code requirements to allow the existing trailer to remain through June, 2013.

Mr. Phillips continued saying that the original plan of the owner was the addition to be under construction when the Temporary Use Permit extension was applied for. The addition was to be completed and ready for occupancy of the parish office when that permit expired. Due to slower than expect fundraising, construction has been delayed. The new timeframe assumes construction will begin September, 2012 with occupancy in June, 2013. Staff has included optional motions for the Board’s consideration. Staff has no record of inquiries since the trailer became operational last spring. It is well screened from the neighbors to the north and cannot be seen from Selby Boulevard. It is set back and partially screened from portions of North High Street. Placing a sunset provision on the variance will allow the temporary office to remain until the addition is completed. Similar provisions have been granted for over sized or additional real estate signs in unusual circumstances on other properties. The essential character of the neighborhood should not be substantially altered. The delivery of governmental services should not be affected.

Ms. Crane asked for the applicant to address the Board. Sheri Rogers, 5750 North High Street with St. Michael Church stated the trailer is being used for office space since the building they moved out was restored to a convent. The restoration project cost about \$100,000 more than expected and this has caused a shortage of funds for their new addition, where the offices would be placed. More time is required to raise more funds to construct this addition.

Ms. Crane asked for questions from the Board.

Mr. Hunter stated his concern is that the date of June 2013 is not a definite date because of funds. Mr. Hunter suggested if the variance is granted for one year, then revisit and see if ground has been broken and possibly grant an extension if funds warrant.

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

Daniel Baer, 45 Kenyon Brook Drive, stated his home is the closest to the church and he has spoke to the four neighbors that abut the church and there are no concerns.

Hearing no one, Ms. Dorothy moved:

**THAT THE REQUEST BY CORNA KOKOSING CONSTRUCTION CO. AND ST. MICHAEL CHURCH FOR A VARIANCE FROM CODE REQUIREMENTS FOR A TEMPORARY OFFICE TRAILER TO REMAIN AT 5750 NORTH HIGH STREET UNTIL JANUARY 01, 2013, AS PER CASE NO. BZA 34-11, DRAWINGS NO. BZA 34-11 DATED SEPTEMBER 9, 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.

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

The meeting adjourned at 8:38 P.M.