

MINUTES OF THE REGULAR MEETING  
BOARD OF ZONING APPEALS

March 1, 2012

**A. Call to Order – 7:30 p.m.**

1. Roll Call - the following members present: B. Seitz, R. Hunter, C .Crane, L. Reibel and D. Falcoski. Also present was D. Phillips, Chief Building Inspector.

2. Pledge of Allegiance

3. Motion made by Mr. Hunter to approve January 5, 2012 minutes. Mr. Falcoski seconded the motion and all members voted “aye” thereon.

6. Affirmation/swearing in of witnesses.

**B. Items of Public Hearing**

1. Variance – Accessory Structure Area - Shed – 6570 Plesenton Dr. (Susan Edison)  
BZA 02-12

Discussion:

Mr. Phillips reviewed the facts from the application.

Ms. Crane stated there is a letter from a neighbor, Dr. James Mattson and confirmed all board members have reviewed it.

Ms. Crane asked the applicant to address the Board.

Susan Edison, 6570 Plesenton Dr, stated she believes the neighbor was misguided in the orientation of the shed when in fact the shed roof will be in the same orientation as the garage roof. Also, stated that the shed will be roofed and painted the same as the garage and will have landscaping around it. The shed will primarily house a tractor and yard implements.

Ms. Crane asked for questions from the Board.

Ms. Crane asked if anyone in the audience who would like to speak for or against this proposal.

Findings of fact:

1. This property is an existing lot of record in an R-16 district with a maximum accessory structure area of 850 square feet.
2. The property contains an existing 19 foot by 18 foot attached carport and a 28.3 foot by 22.5 foot detached garage. The existing accessory structure area is 978.75 square feet.

3. The applicant is proposing the construction of a 16 foot by 16 shed, 14 feet north of the existing detached garage. The proposed total accessory structure area is 1,234.75 square feet. The requested variance is for an additional 256 square feet of accessory structure area.
4. The granting of this variance does not grant variances from the requirements of the Residential Code of Ohio.

Conclusions:

1. Franklin County records indicate both the carport and detached garage were constructed prior to the adoption of the current zoning code and are legally nonconforming structures. The property is very large at 2.344 acres and mitigates the substantial nature of the variance request.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

Mr. Hunter moved:

**THAT THE REQUEST BY SUSAN EDISON FOR A VARIANCE FROM CODE REQUIREMENTS FOR ACCESSORY STRUCTURE AREA TO ALLOW THE CONSTRUCTION OF A SHED AT 6570 PLESENTON DRIVE, AS PER CASE NO. BZA 02-12, DRAWINGS NO. BZA 02-12 DATED JANUARY 30, 2012, 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.

2. Variance – Front & Side Yard Setback – Front Porch, Side Deck & Condenser – 120 E. Granville Rd. (Joe, Patricia & Matthew Herban) BZA 04-12

Discussion:

Mr. Phillips reviewed the facts from the application.

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

Joe Herban, 112 W. Campus View Blvd., stated he is helping his parents renovate this house. The front porch and side deck area that is existing is just being redone to fit in better with the home style and the neighborhood. The air handler will be tucked in toward the back of the house, with 48 inch knock out roses around to screen the unit. The porch will be painted to match the house and will blend more with the home than a deck would.

Ms. Crane asked for questions from the Board.

Mr. Hunter stated the Architectural Review Board believed this proposal would greatly improve the property.

Ms. Crane asked if anyone in the audience who would like to speak for or against this proposal.

Findings of fact:

1. This property is an existing lot of record in an R-10 along a regional thoroughfare with a minimum front yard setback of 50 feet along the Granville Road right-of-way. Corner lots are permitted to reduce the adjacent side yard setback to two-thirds the front yard setback, or 33-1/3 feet along the Morning Street right-of-way. Refrigeration equipment cannot be installed in a setback.
2. The applicant is proposing to alter the existing brick and concrete front porch with new wooden flooring, railings, and stairs. The entire front porch is in the front yard setback. The requested variance is to allow the alterations to the existing front porch entirely in the front yard setback.
3. The applicant is also proposing to replace an existing window with a new French door and alter the existing stone patio with a wooden flooring, railings, and stairs similar to the front porch. The existing window and patio are in the side yard setback. The requested variance is to allow the installation of the new door and the alterations to the existing patio within the side yard setback.
4. Lastly, the applicant is proposing in the installation of an air conditioning condenser in the rear of the dwelling but within the side yard setback. The requested variance is to allow the condenser in the side yard setback.
5. The property is subject to, and the alterations have been approved by, the Architectural Review Board. This approval includes a requirement to screen the new condenser with vegetation.

Conclusions:

1. This existing corner lot is substantially smaller than a typical R-10 lot and because of its location along State Route 161, is subject to larger than normal setback requirements. A substantial portion of the house is in the front and side yard setback with very little of the house not requiring a variance for even minor alterations. These factors mitigate the substantial nature of the variance request.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

Ms. Reibel moved:

**THAT THE REQUEST BY JOE, PATRICIA, AND MATTHEW HERBAN FOR A VARIANCE FROM CODE REQUIREMENTS FOR FRONT AND SIDE YARD SETBACK TO ALLOW ALTERATIONS TO AN EXISTING DWELLING AND THE PLACEMENT OF AN AIR CONDITIONER CONDENSER AT 120 EAST GRANVILLE ROAD, AS PER CASE NO. BZA 04-12, DRAWINGS NO. BZA 04-12 DATED JANUARY 25, 2012, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Hunter seconded the motion and all members voted “aye” thereon.

3. Variance – Front Setback – Front Porch Renovations – 41 W. North St. (James Ross/Scholl)  
BZA 05-12

Discussion:

Mr. Phillips reviewed the facts from the application.

Ms. Crane asked the applicant to address the Board

James Ross, 6120 Crystal Valley Drive, Galena, and Mike Scholl, 1945 Snouffer Rd. approached the Board. Mr. Ross stated currently the home does not have a front door and their hope is to add curb appeal with a front door and stoop with a roof.

Ms. Crane asked for questions from the Board.

Mr. Hunter stated the Architectural Review Board did approve this and in fact looking at the properties around this home, three out of four houses project closer to North Street than this would even with the addition.

Ms. Crane asked if anyone in the audience who would like to speak for or against this proposal.

Susie Porter, 30 W. North St., stated she hopes the Board approves this proposal because they have done nothing but improve the neighborhood.

Findings of fact:

1. This property is an existing lot of record in an R-10 district with a minimum front yard setback of 30 feet.
2. The existing dwelling has an enclosed porch within the front yard setback.
3. The applicant is proposing the relocation of the main entry door of the existing porch and adding a 6 foot by 5 foot porch roof entirely within the front yard setback. The requested variance is to allow the door to be relocated and adding a porch roof over a new stoop entirely within the front yard setback.

4. The property is subject to, and revisions have been approved by, the Architectural Review Board.

Conclusions:

1. The porch already exists in the front yard setback and the relocation of the door with overhead protection does not appear to be substantial variance request.
2. The essential character of the neighborhood should not be substantially altered.
3. The delivery of governmental services should not be affected.

Mr. Falcoski:

**THAT THE REQUEST BY JAMES ROSS AND MIKE AND JOY SCHOLL FOR A VARIANCE FROM CODE REQUIREMENTS FOR FRONT YARD SETBACK TO ALLOW THE RELOCATION OF A DOOR AND THE CONSTRUCTION OF A PATIO ROOF AT 41 WEST NORTH STREET, AS PER CASE NO. BZA 05-12, DRAWINGS NO. BZA 05-12 DATED FEBRUARY 3, 2012, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Hunter seconded the motion and all members voted “aye” thereon.

Mr. Hunter moved to adjourn the meeting at 7:55P.M., Mr. Falcoski seconded the motion. All members said “aye” and the meeting adjourned.