

**BOARD OF ZONING APPEALS
MINUTES OF MEETING
MARCH 10, 2014**

MEMBERS PRESENT: Carl Zani, Eric Moulton, Dick Mickley, Alex Kessler, Scott Zwiezinski, Barbara Taylor, Harry McMannis.

OTHERS PRESENT: Pat Ellis, Stan Young, Gale Nicol, Corry Mason, Laurie Whittington, Steve Rice, Steve Peck, Kent Weakley, Catherine Cunningham, Mr. and Mrs. Tucker Carter, City Planner Greg DeLong, and Secretary Barb McCoy.

MEETING CALLED TO ORDER: The meeting was called to order at 7:00 p.m.

APPROVAL OF MINUTES: The minutes of the meeting of January 13, 2014, were approved as presented.

AGENDA ITEMS:

OLD BUSINESS: None.

NEW BUSINESS:

- 1) **To hear a request for a sign variance to permit 96 sq. free standing sign vs. maximum of 75 sq. ft. permitted; Nationwide Children’s Hospital, 100 Coleman’s Crossing Blvd.; TOC zoning district. Filed by Patrick Ellis for Thomas & Marker Construction; 2084 US 68 South, Bellefontaine, OH 43311**

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated there is no rear for this property – they have two sides and two frontages. They need to be 60’ from the south side and 60’ from the north side. He stated the City’s sign ordinance permits 25’ in height maximum for signs. It’s the subdivision’s deed covenants restrict the height of the signage in City Gate. Mr. Connolly has signed off on this sign.

COMMENTS OF REQUESTER: Patrick Ellis stated the request for Nationwide Children’s Hospital is actually a three-part request. This first request has been changed to request a 12’ in height freestanding monument sign. Both faces of the 2-sided sign will be illuminated.

COMMENTS OF CITIZENS: No comments.

DISCUSSION BY BZA MEMBERS: Ms. Taylor asked how this sign will affect the hospital’s proposed signs. Mr. DeLong stated their request has not yet been submitted. Mr. Moulton made the motion to approve the 96 sq. ft. sign to be 12’ in height; seconded by Mr. Mickley. Question put, stood:

Mr. Moulton Yes
Mr. Zwiezinski Yes

Mr. Mickley Yes
Ms. Taylor Yes

Mr. Kessler Yes
Mr. McMannis Yes

Mr. Zani Yes

The variance was approved with the condition above.

- 2) To hear a request for a sign variance to permit 78.28 sq. ft. business sign vs. 49.44 sq. ft. business sign permitted; Nationwide Children’s Hospital, 100 Coleman’s Crossing Blvd.; TOC zoning district. Filed by Patrick Ellis for Thomas & Marker Construction; 2084 US 68 South, Bellefontaine, OH 43311

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated the sign code permits two business signs in the TOC zoning district. They are permitted 20% of the total square footage permitted for the building. In this case, they are permitted two 49.44 sq. ft. signs. They are requesting a 78.28 sq. ft. wall mounted business sign. Mr. DeLong stated the land is bordered on two sides by roadways, which is uncommon in this zoning district. It is a unique property. The subdivision association has approved this sign.

COMMENTS OF REQUESTER: Mr. Ellis stated the butterfly is internally lit and the remainder of the sign has a direct light.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Zwiezinski made the motion to approve this variance; seconded by Mr. Kessler. Question put, stood:

Mr. Mickley Yes Mr. Kessler Yes Mr. Zwiezinski Yes
Mr. Taylor Yes Mr. McMannis Yes Mr. Zani Yes Mr. Moulton Yes

- 3) To hear a request for a sign variance to permit three business signs (third sign to be located on entrance doors) vs. two business signs permitted; Nationwide Children’s Hospital, 100 Coleman’s Crossing Blvd.; TOC zoning district. Filed by Patrick Ellis for Thomas & Marker Construction; 2084 US 68 South, Bellefontaine, OH 43311

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated the applicant wishes to withdraw this application and request a new agenda item be added to the agenda.

COMMENTS OF REQUESTER: Mr. Ellis stated that they are requesting to withdraw this submittal because they have a different sign they would like to submit tonight. They want to amend the submittal to be a ground mounted sign.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Mickley made the motion to accept the withdrawal the variance request; seconded by Mr. Moulton. Question put, stood:

Mr. Kessler Yes Mr. Zwiezinski Yes Ms. Taylor Yes
Mr. McMannis Yes Mr. Zani Yes Mr. Moulton Yes Mr. Mickley Yes

Request was withdrawn.

- 4) **To hear a request to permit a second freestanding identification sign, 15 sq. ft. 4ft. in height vs. one freestanding identification sign permitted; Nationwide Children’s Hospital, 100 Coleman’s Crossing Blvd.; TOC zoning district. Filed by Patrick Ellis for Thomas & Marker Construction; 2084 US 68 South, Bellefontaine, OH 43311**

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated the vote is required to be unanimous for this new agenda item to be considered at this meeting according to the BZA Rules of Procedures.

COMMENTS OF REQUESTER: None.

COMMENTS OF CITIZENS: None

DISCUSSION BY BZA MEMBERS: Mr. McMannis made the motion to accept the new agenda item; seconded by Mr. Moulton. Question put, stood:

Mr. Zwiezinski Yes	Ms. Taylor Yes	Mr. McMannis Yes
Mr. Zani No	Mr. Moulton Yes	Mr. Mickley No Mr. Kessler Yes

This item will be required to be submitted for an upcoming meeting because a unanimous vote was not obtained.

- 5) **To hear a request for a conditional use permit for a public/quasi public use (church office); 517 W. 5th Street; R-2 zoning district. Filed by Jeremy Bury for Marysville Grace Brethren Church, 222 S. Main Street, Marysville, Ohio 43040.**

Mr. Moulton and Mr. Zani excused themselves from this agenda item due to conflict of interest.

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated a conditional use is required for the church to relocate to this location. According to 1129.22, it appears that the request meets findings.

COMMENTS OF REQUESTER: Jeremy Bury stated the current location on S. Main Street needs a lot of work. The City is interested in purchasing it for additional parking. They do not hold church services at their business office. It is open Tuesday-Friday from 9:00 am – 5:00 pm – 32 hours per week. They average 5-6 visitors daily. They have eight staff members total, full-time and part-time. As witnessed at their current location, they take care of their property. They have good values as a church, no matter what your belief; they want to be a good neighbor. Mr. Bury stated you don’t always know who your neighbor will be, here you do. Parking has been marked on the submitted drawing but is open to any other suggestions. The office serves as an administration office, counseling to church members. The church would like to purchase this property if the conditional use is approved. A sign would be requested. They do not want a large sign that would stick out in this residential neighborhood. There would be no changes

to the interior or exterior. It is a private residence now.

COMMENTS OF CITIZENS: Gail Nicol, 509 W. 5th Street, stated she lives on the east side of the property and does have an issue with this request. The backyard is their sanctuary. They are not crazy about the parking lot being right next door. Ms. Nicol stated she has lived here for 29 years and she values her property. We would have a lot more traffic and our grandchildren visit often. Also, it is tough to get in and out of the driveways in this area.

Tucker Carter stated the driveways are side by side with 2.5 feet between the driveways. Mr. Carter stated there is also a lot of foot traffic in this area. Pedestrians are on the sidewalk all the time and the additional traffic going into their lot would be very dangerous.

Ms. Nicol stated the neighbors behind their property have no barrier and she is worried about them. This is old Marysville where the homes are well kept up. It is all residential between Dave's Pharmacy and Mannasmith's Funeral Home. Also, her dog would no be a good neighbor because it barks at everything.

Mr. Carter stated from Court to Maple it is all business anymore. This is a residential area with a lot of people walking around.

DISCUSSION BY BZA MEMBERS: Mr. Mickley made the motion to approve this agenda item; seconded by Mr. Zwienzinski. Question put, stood:

Ms. Taylor Yes
Mr. Kessler No

Mr. McMannis No
Mr. Zwiezinski No

Mr. Mickley Yes

The conditional use permit was not approved.

- 6) **To hear a request for a sign variance to permit a second temporary contractor sign, 128 sq. ft. and 12' in height vs. one temporary contractor sign permitted, 32 sq. ft. maximum and 5' in height. Memorial Hospital, 120 Coleman's Crossing Blvd; TOC zoning district. Filed by Stanley Young, Columbus Sign Co., Inc., 1515 E. 5th Avenue, Columbus, OH 43219**

Mr. Moulton and Mr. Zani excused themselves from this agenda item due to conflict of interest.

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated this is a temporary contractor sign that is required to be removed within 15 days after completion of the project. It will be located along SR 33.

COMMENTS OF REQUESTER: Mr. Rice representing the company Pizutti stated this is an important sign. It communicates service and is notification to let people know what hospital services that will be offered at this new facility. The sign will be down within 15 days after building is opened. There is a real need for this size and height because of the size of the lot. Mr. Rice stated the estimated completion date for this project is mid-October.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. McMannis made the motion to approve this agenda item; seconded by Mr. Moulton. Question put, stood:

Mr. McMannis Yes	Mr. Mickley Yes	Mr. Kessler Yes
Mr. Zwiezinski Yes	Ms. Taylor Yes	

The agenda item was approved as presented

- 7) **To hear a request for a variance to permit up to 26% lot coverage vs. maximum of 25% lot coverage permitted; lot 5623/668 Gallop Lane. Filed by Dominion Homes, Inc., c/o Catherine A. Cunningham. Kegler, Brown, Hill & Ritter, 65 E. State Street, Suite 1800, Columbus, Ohio 43215.**

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: Mr. DeLong stated Dominion is requesting a small percentage of lot coverage for five lots. On page 2 of his staff report he presented a chart of other lots in the Woods at Mill Valley that have been granted variances for lot coverage. This subdivision was platted quite a long time ago and the housing desires have changed a lot with homebuyers wanting larger homes. He stated it appears the variance requests meet the findings under Section 1129.13 of the Planning and Zoning Code. He stated that since the next five requests are the same, the applicant will be doing one presentation for all but a separate motion and vote for each will be required.

COMMENTS OF REQUESTER: Catherine Cunningham reviewed the history of this subdivision. It is a large subdivision with 786 lots on the preliminary plat.

Steve Peck stated housing starts slowed down in 2007. They have had several extensions for platting. The housing styles have changed and are getting larger. On new plats they have made the lots larger to accommodate the larger homes. The lots on Gallop Lane are in-fill lots with houses around them. The other three lots on Bridle are in Part 11. Only 1% is needed for the lot coverage variance, which is slightly more than any need to try to accommodate the houses to make them fit. Dominion will work in the future to make the lots larger.

Woods at Mill Valley 1/12 will have the streets going in this year. They are replatting and are losing a lot of lots to prevent this from happening again. A lot of people now want a third car garage – all but one of these new houses has 3 car garages. The pool and park are also going in this year.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Zani asked if these houses are sold. Mr. Peck replied that 4 of the 5 houses are going into contract if approved. Ms. Taylor made the motion to approve the variance request; seconded by Mr. Moulton. Question put, stood:

Mr. Zani Yes	Mr. Moulton Yes	Mr. Mickley Yes	
Mr. Kessler No	Mr. Zwiezinski Yes	Ms. Taylor Yes	Mr. McMannis Yes

The variance requested was approved for lot 5623.

- 8) To hear a request for a variance to permit up to 26% lot coverage vs. maximum of 25% lot coverage permitted; lot 5414/487 Bridle Drive. Filed by Dominion Homes, Inc., c/o Catherine A. Cunningham. Kegler, Brown, Hill & Ritter, 65 E. State Street, Suite 1800, Columbus, Ohio 43215.

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: None.

COMMENTS OF REQUESTER: None.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Mickley made the motion to approve the variance request; seconded by Mr. Zani. Question put, stood:

Mr. Moulton Yes Mr. Mickley Yes Mr. Kessler No
Mr. Zwiezinski Yes Ms. Taylor Yes Mr. McMannis Yes Mr. Zani Yes

The variance request was approved for lot 5414.

- 9) To hear a request for a variance to permit up to 26% lot coverage vs. maximum of 25% lot coverage permitted; lot 5406/577 Bridle Drive Filed by Dominion Homes, Inc., c/o Catherine A. Cunningham. Kegler, Brown, Hill & Ritter, 65 E. State Street, Suite 1800, Columbus, Ohio 43215.

Mr. McMannis made the motion to approve the variance request; seconded by Mr. Mickley. Question put, stood:

Mr. Mickley Yes Mr. Kessler No Mr. Zwiezinski Yes
Ms. Taylor Yes Mr. McMannis Yes Mr. Zani Yes Mr. Moulton Yes

The variance request was approved for lot 5406.

- 10) To hear a request for a variance to permit up to 26% lot coverage vs. maximum of 25% lot coverage permitted; lot 5409/547 Bridle Drive. Filed by Dominion Homes, Inc., c/o Catherine A. Cunningham. Kegler, Brown, Hill & Ritter, 65 E. State Street, Suite 1800, Columbus, Ohio 43215.

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: None.

COMMENTS OF REQUESTER: None.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Zani made the motion to approve this variance request; seconded by Mr. Moulton. Question put, stood:

Mr. Kessler No	Mr. Zwiezinski Yes	Ms. Taylor Yes	
Mr. McMannis Yes	Mr. Zani Yes	Mr. Moulton Yes	Mr. Mickley Yes

The variance request was approved for lot 5409.

11) To hear a request for a variance to permit up to 26% lot coverage vs. maximum of 25% lot coverage permitted; lot 5612/649 Gallop Lane. Filed by Dominion Homes, Inc., c/o Catherine A. Cunningham. Kegler, Brown, Hill & Ritter, 65 E. State Street, Suite 1800, Columbus, Ohio 43215.

COMMENTS OF ZONING INSPECTOR AND/OR CITY PLANNER: None.

COMMENTS OF REQUESTER: None.

COMMENTS OF CITIZENS: None.

DISCUSSION BY BZA MEMBERS: Mr. Zani made the motion to approve this variance request; seconded by Mr. McMannis. Question put, stood:

Mr. Zwiezinski Yes	Ms. Taylor Yes	Mr. McMannis Yes	
Mr. Zani Yes	Mr. Moulton Yes	Mr. Mickley Yes	Mr. Kessler No

The variance request was approved for lot 5612.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Appeals, the meeting adjourned at 7:55 p.m.