

**Board of
Zoning Appeals**

Agenda (AMENDED)

Board of Zoning Appeals
Thursday, April 21, 2022

Regular Meeting
7:00 P.M.

- I. Call to Order**
- II. Pledge of Allegiance to the Flag**
- III. Roll Call**
- IV. Approval of the Minutes of the March 17, 2022, Meeting**
- V. Oath to Tell the Truth**
- VI. Changes to the Agenda (requests for postponements, withdrawals, or change in order of cases)**
- VII. POSTPONED CASES:**
 - CASE 1: BZA-21-31 – Administrative Appeal – 5340 Franklin Street**
 - PARCEL NUMBER:** 050-000142
 - APPLICANT:** Thomas Herlihy, 5340 Franklin Street, Hilliard, OH 43026, c/o Jeffrey Lucas, 1717 Bethel Road, Columbus, OH 43220.
 - REQUEST:** Review and approval of an administrative appeal of a Notice of Violation issued by the Zoning Enforcement Officer concerning Hilliard Code Section 917 Weeds.
- VIII. NEW CASES:**
 - CASE 2: BZA-22-4 – L & A Auto Group - 4896 Scioto Darby Road**
 - PARCEL NUMBER:** 050-002579
 - APPLICANT:** Rashid Salah, 4128 Hoffman Farms Drive, Hilliard, OH 43026; c/o Kamal Chinary, 2719 West Case Road, Columbus, OH 43235.
 - REQUEST:** Review & approval of a variance from Hilliard Code Section 1125.05(b) to reduce the minimum vehicular use area perimeter landscaping and Section 1125.05(c) to reduce the minimum vehicular use area interior landscaping for a vehicle repair and vehicle sales business on 0.93 acre.
 - CASE 3: BZA-22-10 – Green Residence – 4200 Dublin Road #6**
 - PARCEL NUMBER:** 050-006662
 - APPLICANT:** Troy & Emily Green, 4200 Dublin Road, #6, Hilliard, Ohio 43026.
 - REQUEST:** Review & approval of a variance from Hilliard Code Section 1121.02(b)(7) to increase the maximum size of an accessory structure from 900 square feet to 1120 square feet.

CASE #4 BZA-21-32 – White Residence – 4140 Winterringer Street

PARCEL NUMBERS: 050-000358, 050-000411, 050-000366

APPLICANT: Beth and Michael White, 4140 Winterringer Street, Hilliard, OH 43026

REQUEST: Clarification of a previous variances granted from Hilliard Code Section 1109.03 to reduce the required side yard, required rear yard and required front yard in the R-2, Low/Medium Density Residential Zoning District.

IX. Communications

X. Adjournment



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MINUTES

Board of Zoning Appeals
Thursday, March 17, 2022

Regular Meeting
7:00 PM

Call to Order

Vice President Aaron Epling called the Regular Meeting of Board of Zoning Appeals to order at 7:00 PM.

Pledge of Allegiance to the Flag

Vice President Aaron Epling led the Board and attendees in the Pledge of Allegiance.

Roll Call

Attendee Name:	Title:	Status:
President Matthew Piper	President	Absent
Vice President Aaron Epling	Vice President	Present
Steve Donato	Member	Present
James Martin	Member	Present
Greg St. Clair	Member	Present
Arthur Steele	Member	Absent
Bobby Stepp	Member	Present

Staff Members Present: City Council Representative Peggy Hale, Planning Director John Talentino and Planning Manager/Acting Clerk Carson Combs.

Others Present: Katherine Fulton, OmniScapes LLC, representing BZA-22-7; Braydon Putnam and Joshua Miller, V3 Companies, representing BZA-22-8; and Rick and Arlene Tidd.

Approval of the Minutes of the February 17, 2022, Meeting

Vice President Aaron Epling made a motion to approve the December 16, 2021, meeting minutes, seconded by Mr. Martin. A Voice Vote approved the motion.

Status:	Accepted by Voice Vote (5-0)
Mover:	Vice President Aaron Epling
Seconder:	Mr. James Martin

Changes to the Agenda (requests for postponements, withdrawals, or change in order of cases)

Mr. Talentino indicated that for Cases #1 and #5 the applicants request a postponement to the April 21, 2022, meeting. He indicated that staff is in support.

CASE 1: BZA-21-31 – Administrative Appeal – 5340 Franklin Street

PARCEL NUMBER: 050-000142

APPLICANT: Thomas Herlihy, 5340 Franklin Street, Hilliard, OH 43026, c/o Jeffrey Lucas, 1717 Bethel Road, Columbus, OH 43220.

REQUEST: Review & approval of an administrative appeal from a code violation letter issued by the City Code Enforcement Officer concerning Hilliard Code Section 917 Weeds.

CASE 5: BZA-22-9 – 4095 Main Street LLC property – 4095 Main Street

PARCEL NUMBER: 050-000153

APPLICANT: 4095 Main Street LLC, c/o Chelsea Setterlin Kimes; and James Butz, SPGB Architects, LLC, 4333-A Tuller Road, Dublin OH 43017.

REQUEST: Review and approval of variances to Section 1115.05(c)(1)A to reduce the interior parking lot landscaping from 200-square-feet to 0-square-feet and Section 1125.05(b) to reduce the required perimeter landscape buffer from 10 feet to 0 feet for the installation of four alley parking spaces and Section 1125.04(i) to reduce the required tree replacement from 30" to 0" for an 8,940-square-foot building with dwellings on the second floor with non-residential uses at street level on 0.162 acre.

Vice President Aaron Epling made a motion, seconded by Mr. Donato, to postpone both cases to the March meeting.

Status:	Postponed to the April 2022, meeting by Voice Vote (5-0).
Mover:	Vice President Aaron Epling
Seconder:	Mr. Steve Donato
Ayes:	

Oath to Tell the Truth

Vice President Aaron Epling administered the Oath to Tell the Truth.

New Cases

CASE 2: BZA-22-6 – Special Olympics Ohio - 3935 Britton Parkway

PARCEL NUMBER: 050-011178

APPLICANT: Echo Hilliard II LLC, 560 Epsilon Drive, Pittsburgh, PA 15238; c/o Bob Knecht, 1719 E. 39th Street, Cleveland, Ohio 44114; Ron Katz, 1719 E. 39th Street, Cleveland, Ohio 44114.

REQUEST: Review & approval of a temporary use under the provisions of Hilliard Code Section 1106.02 to permit a clothing donation bin in the parking lot.

Mr. Combs presented the staff report.

BACKGROUND:

The site is 2.71 acres located on the west side of Britton Parkway 250 feet north of Cemetery Road and is zoned PUD, Planned Unit Development District (First Industrial Property Plan). The site has two entrance drives from Britton Parkway and one from All Seasons Drive. The applicant is requesting approval of a variance for a temporary use under Section 1106.02 of the Code to locate an accessory donation bin at the rear of the parcel within a paved parking lot.

CONSIDERATIONS:

- Hilliard Code Section 1121.02(b)(2) states that accessory buildings shall not be located within any front yard or within any easement. Section 1121.02(b)(3) states that accessory buildings may be erected in a rear yard if set back not less than six feet from the rear property line and three feet from the side property line. Section 1121.02(b)(4) states that buildings and structures accessory to non-residential uses shall meet the minimum setback requirements and height limitations for principal buildings in the respective zoning district.
- The proposal consists of one donation bin (4'x5') located at the rear of the parking lot west of Rusty Bucket and south of Scrambler Marie's. The bin will be the receptacle for donations of clothing and shoes for Special Olympics. No resale of merchandise will occur at the site, and no additional lighting is proposed beyond the existing parking lot lighting. The bin includes informational signage, and no additional signage is proposed.

- On June 21, 2018, the Board approved a variance to locate three Special Olympic bins in the front yard of 3780-3785 Park Mill Run Dr. The motion was approved for a 12-month period with the condition that all refuse laying around the bins was to be cleaned up at all times. This temporary use resulted in significant code enforcement efforts due to the abundance of rubbish outside and around the bin. The bins were removed before the 12-month period ended.
- Staff has found that the areas around donation bins of the type proposed with this application often become the receptacle of materials other than the items intended, such as furniture, household goods, mattresses, toys, trash, etc. because the sites are not monitored.

STAFF RECOMMENDATION:

Staff finds that the proposed outdoor, unattended donation bin is of a type that has been the source of significant zoning enforcement efforts to eliminate trash and debris from accumulating in the area around the bin. Staff finds that this type of donation bin would be more appropriately located within an indoor commercial tenant space that would provide ongoing monitoring. Based on these findings, consistent with the provisions of Code Section 1106.04, staff respectfully recommends that the proposed variance to locate one accessory structure be denied.
[end of report]

Vice Chair Epling asked for the location and applicant of the previous temporary use approval; Mr. Talentino noted that the location was near Arhaus and Floor & Decor along Park Mill Drive – the applicant was the Special Olympics.

The applicant was not present and there was no testimony from the public.

Mr. St. Clair noted that he understood the staff's position on the issue because he has seen such examples where the donation area becomes unsightly.

Mr. Talentino clarified that the request was not a variance, but a temporary use request because the proposed location is not located forward of the building (in the rear yard).

Mr. St. Clair made a motion, seconded by Mr. Donato, to approve the temporary use request under the provisions of Hilliard Code Section 1106.02 to permit a clothing donation bin in the parking lot.

Status:	The Board denied the application (5-0).
Mover:	Mr. Greg St. Clair
Second:	Mr. Steve Donato
Nays:	Vice President Aaron Epling, Mr. Steve Donato, Mr. James Martin, Mr. Greg St. Clair, Mr. Bobby Stepp

CASE 3: BZA-22-7 – Vawter Residence – 6069 Heritage Lakes Drive

PARCEL NUMBER: 050-007078

APPLICANT: Gary Vawter, 6069 Heritage Lakes Drive, Hilliard, OH 43026.

REQUEST: Review and approval of a variance from Hilliard Code Section 1121.02(d)(5) to permit a pool with an automatic cover in lieu of a fence around the pool.

Mr. Combs provided the staff report.

BACKGROUND:

The site is located on the south side of Heritage Lakes Drive, approximately 110 feet east of Heritage Point Court. The 0.49-acre parcel is Lot #61 of the Heritage Lakes PUD (Planned Unit Development) District and was platted as part of Section 1 which was originally approved for zoning in 1992. This application is a variance request to install a mechanical pool cover in lieu of swimming pool fencing with self-closing and self-locking gate as required by Section 1121.02(d)(5) of the Code.

CONSIDERATIONS:

- *Description.* The site and surrounding properties are zoned PUD, Planned Unit Development District as part of the Heritage Lakes PUD Plan. The rear of the property backs onto one of the fairways of the Heritage Golf Club. A decorative post-and-rail white fence installed by the golf course is located along the rear property line to delineate the edge of play. The rear property line is approximately 60 feet from the closest cart path.
- *Required Fencing.* Hilliard Code Section 1121.02(d)(5)(a) states that the immediate surroundings or yard around the pool shall be fenced and equipped with a self-latching gate with a self-closing lock to prevent uncontrolled access into any swimming pool.
- *Prior Variance Requests.* Since 2018, the Board of Zoning Appeals has received five variance requests to replace required pool fencing with an automatic pool cover. **The Board has approved all five requests.** [BZA-21-35 Bandow Residence; BZA-21-6 Capron Residence; 20-0157AR Miglietti Residence; 20-0145AR Ruma Residence; 18-0093AR Tucker Residence]
- *Patio & Pool Design.* The proposed 714-square foot patio will surround the proposed 494-square foot fiberglass in-ground pool that complies with all required setbacks and site standards. Mechanicals for the pool will be placed on a concrete pad along the east elevation of the home. A side yard setback of 8 feet is required, and mechanicals are permitted to encroach up to 3 feet within the side yard. **Any proposed mechanicals must be screened to comply with Code.**
- *Fencing.* Plans indicate a 48-inch-tall decorative aluminum fence with gate hardware around the pool and patio that complies with Code. This variance request is to install an electronic pool cover in place of the required fence. **To meet the intent of the Code, a cover would need to be closed at all times when the pool is not in use.**
- *HOA Review.* The Heritage Lakes HOA has approved the proposed plan on the condition that the variance to utilize the electronic pool cover from the Board of Zoning Appeals is granted. The HOA is also requesting that the proposals screen the mechanicals on the side of the home.

STAFF RECOMMENDATION:

Staff finds that there can be beneficial use of the property without the variance and that the proposed variance to permit a pool without fencing is substantial. Staff finds that the property owner's difficulty can be feasibly obviated through some method other than a variance. Based on these findings, consistent with the provisions of Hilliard Code Section 1106.04 staff respectfully recommends that the proposed variance be denied.
[end of report]

Mr. St. Clair asked if staff was stipulating a condition in the report; Mr. Combs clarified that the language provided was that proposed by the Board and adopted as a condition in its previous approvals. Mr. Combs explained that the fence with lock and latch is a required safety measure.

Vice Chair Epling asked if City Council is considering this issue.

Mr. Talentino said it currently is not, but that a Code change could be part of a larger rewrite. He said that staff is not aware of any complaints from the previously granted variances. He said staff cannot recommend approval when the Code does not address the issue, but today's pool covers have a much better quality than what was available years ago.

Mr. Stepp asked if there were any legal ramifications if the Board made such a decision; Vice Chair Epling noted that public boards have some immunity but did not know about this instance.

Mr. Talentino explained that even with fences, a gate can be left open and there are operational requirements that must be carried out to keep it from creating an attractive nuisance.

Mr. Stepp asked if the property backed up to the golf course and already had a fence and Mr. Martin noted that the fence is there for a good reason and wondered why the owner would like to forgo the fence.

Ms. Katherine Fulton, Omnipools, affirmed that there is a fence. She then provided images of the proposed pool cover to the Board. She explained the key will be removed from the switch when not in use. She indicated that

the cover will be better than a fence, which can be jumped over. She said that her company is aware of other municipalities that are allowing the pool covers. She noted that the plans originally included both the fence and cover. She said she believed that the owners removed the fence due to cost.

Council Member Hale inquired as to the cost of the cover and asked about the location of the switch and key.

Ms. Fulton indicated that the cover is between \$10,000-\$20,000, and the cost of the fence is comparable to that of the cover. She said that the key and switch is located outside near the pool and that the key will enclose the switch so that it cannot be accessed.

Mr. St. Clair noted that past requests have include a keypad that would be placed too high for children to reach; Ms. Fulton pointed out that the applicant did not choose that as an option.

There was no testimony from the public.

Mr. St. Clair made a motion, seconded by Vice President Epling, to approve the variance from Hilliard Code Section 1121.02(d)(5) to permit a pool with an automatic cover in lieu of a fence with the following condition:

(1) That while the pool is not in use, the cover must be closed.

Status:	Approved with one condition (5-0).
Mover:	Mr. Greg St. Clair
Seconded:	Vice President Aaron Epling
Nays:	Vice President Aaron Epling, Mr. Steve Donato, Mr. James Martin, Mr. Greg St. Clair, Mr. Bobby Stepp

CASE 4: BZA-22-8 – Tidd Funeral Home – 4010 Columbia Street

PARCEL NUMBER: 050-000085

APPLICANT: Ricky and Arlene Tidd, 4492 Carrington Way, Hilliard, OH 43026; c/o Braydon Putnam, V3 Companies, 3500 Snouffer Road, Columbus, OH 43235

REQUEST: Review and approval of a request of variances to Section 1127.04(b)(3)(c) to reduce required aisle width from 24 feet to 20 feet and Section 1125.05(b) to reduce the minimum perimeter landscape buffer to 0 feet for the construction of a 27-space, shared-access parking lot.

Mr. Combs presented the staff report:

BACKGROUND:

The site is 0.17 acre located on the southeast side of Columbia Street approximately 120 feet southwest of Norwich Street. The site is currently undeveloped and is the former location of a residence. The applicant is requesting approval of a 27-space parking lot that will include accessible parking, improvements to the Columbia Street right-of-way and related bicycle facilities. *On March 10, 2022, the Planning and Zoning Commission reviewed Case PZ-22-005 and approved (7-0) an Old Hilliard Design Plan for the parking lot with three conditions that are duplicated in this report.* This variance request is to reduce the required drive aisle width for the parking lot from 24 feet to 20 feet and to eliminate minimum perimeter landscape buffer requirements to permit the shared access layout. Following review by this Board, the proposed parking lot development could proceed to obtain necessary permits for construction.

CONSIDERATIONS:

- *Comprehensive Plan.* Adopted plans for the District recommend the provision of private, on-site spaces where possible. The Plan emphasizes increasing connectivity for pedestrians and vehicles throughout the District and to redevelop underutilized properties in an attractive way that respects the existing character. The proposed plan will provide needed resources in a way that will be appropriately screened, provide pedestrian amenities and connections that are missing on Columbia Street and will include alley improvements that will benefit the general public. The proposed improvements will create a short-term

resource in that portion of the District until such time as market conditions encourage further development consistent with the Plan.

- *Zoning.* The site and all surrounding properties are located within Old Hilliard. Properties to the north, east and south are within the OH-RD District and include a mix of commercial uses. A single-family residence is located to the south across the alley, and a variety of businesses (including Tidd Funeral Home) are located on the other side of Columbia Street within the OH-MD mixed use district.
- *Parking Requirements.* 78 spaces are necessary to meet standard parking requirements. Section 1115.05(f) allows the Planning and Zoning Commission to grant a 50% reduction upon consideration of whether other parking is available within a reasonable distance if transit is available and if hours or peak activity for the use will not coincide with other nearby uses. As a funeral use a 50% reduction requires 39 spaces. The existing lot at the corner of Columbia and Center Streets includes 42 spaces. This proposed lot will provide 27 additional spaces (69 total). As a unique use that has significant parking needs during limited times, the property owner is working to provide adequate parking resources in proximity to the use.
- *Lot Design.* The proposed parking layout will provide 27 spaces and is designed to integrate with adjacent parcels that are controlled by the applicant. Circulation along the north property line is proposed at 20 feet and paved portions of the alley will be widened and range from 22.97 to 25 feet to enhance vehicular movement.
- *Aisle Width.* A variance from Section 1127.04(b)(3)(c) is necessary to reduce aisle width from 24 feet to 20 feet. The reduction is consistent with other parking lots in Old Hilliard, will improve the condition of the alley and addresses the limitations created by the small lot size.
- *Right-of-way Improvements.* Sidewalks, stormwater improvements (including underground storage) and site enhancements will be installed to the satisfaction of the City Engineer.
- *Cross Easements.* Because the proposed parking circulation is shared/coordinated with surrounding parcels, cross access easements will be required with the adjacent parking areas.
- *Landscape Buffers.* Section 1125.05(b) of the Code requires a 25-foot landscape buffer for properties adjacent to a residential property or district. The plan utilizes coordinated parking with the alleys and a drive aisle with properties to the north with landscape buffers that range from 7 feet to 0 feet from the property line. The Code does not address alley parking configurations, the size of many small lots within Old Hilliard or coordinated access between properties as proposed by this plan.

STAFF RECOMMENDATION:

Staff finds that the proposed parking lot installation is generally consistent with the intent and purpose of the Zoning Code in Old Hilliard and will provide additional parking resources for the District in a coordinated manner. The proposed lot will coordinate with the existing alley system and result in improvements to the public right-of-way. The project will maintain the spirit and intent of the Code, and the variances will address the unique aspect of the proposed layout to coordinate with the alley system and adjacent uses. The integrity of the alley will be maintained for public services and utilities, and the proposed lot will provide a valuable use in this transitional portion of Old Hilliard until such time as growth in the District encourages the development of additional mixed uses that meet the intent of the Code and objectives of the Comprehensive Plan. Based on these findings, staff recommends approval of the proposed variances with the following three conditions:

- 1) That all necessary cross easements be provided to the satisfaction of staff;
 - 2) That the installation of all improvements to the site and in public right-of-way be completed to the satisfaction of staff; and
 - 3) That all necessary variances be obtained from the Board of Zoning Appeals prior to submitting for permits.
- [end of report]

Mr. St. Clair asked if there were any variances granted for the parking lot to the south and inquired about lighting.

Mr. Talentino clarified that the public alley right-of-way would not be widened. He said he was not aware of variances, but at the time that lot was installed the Zoning Code was different. He noted that the parking lot did go through a public process. He said that what is currently there may have been approved as a package.

Mr. Martin asked about the proposed lighting; Mr. Combs indicated that cutoff fixtures that meet code will be provided.

Vice Chair Epling asked why the conditions included “to the satisfaction of staff” and whether “prior to and during construction” could be added.

Mr. Talentino explained that the wording allows staff to make detailed adjustments in the field during the construction process (which happens with most projects). He said additional language could absolutely be added to the condition.

Council Member Hale asked if placing the accessible space on Columbia Street will still allow for emergency vehicles and two-way traffic.

Mr. Combs noted that the design does not impact the street’s capacity and that all modifications in the right-of-way will require approval from the City Engineer.

Mr. Martin asked about the dumpster that is currently located on the property; Staff noted that it is probably in a temporary location.

Mr. Martin inquired about the increased stormwater; Mr. Talentino noted that they would have to meet all the City’s requirements and that preliminary information has been provided to the engineers. Mr. Combs clarified that preliminary calcs have are included with underground detention and that final calculations will be provided in conjunction with permits.

Mr. Stepp asked if the drive aisles will be two-way, and Mr. Talentino confirmed that they will be widened to provide two-way traffic.

Council Member Hale inquired as to whether the parking areas would be utilized for other purposes such as special events; Mr. Talentino noted that the applicant has been accommodating in the past, but no discussions have been made to this point.

Mr. Martin suggested additional signs for patrons to be able to know where to park; Mr. Talentino indicated that staff would work with the applicant.

Mr. Putnam, V3 Companies, noted that there is a dumpster that would be relocated to the corner of the parking lot to the south as indicated on the plans.

Joshua Miller, V3 Companies, indicated that their company has previously worked for Tidd Funeral Homes; Mr. St. Clair noted that the Tidd’s have been good stewards of the downtown property and their past involvement provides assurances.

No public testimony was provided.

Vice Chair Epling, seconded by Mr. St. Clair, made a motion to approve the request for variances to Section 1127.04(b)(3)(c) to reduce required aisle width from 24 feet to 20 feet and Section 1125.05(b) to reduce the minimum perimeter landscape buffer to 0 feet for the construction of a 27-space, shared-access parking lot with the following conditions:

- 1) That all necessary cross easements be provided to the satisfaction of staff prior to and during construction;
- 2) That the installation of all improvements to the site and in public right-of-way be completed to the satisfaction of staff prior to and during construction; and
- 3) That all necessary variances be obtained from the Board of Zoning Appeals prior to submitting for permits.

Status:	Approved with three conditions (5-0).
Mover:	Vice Chair Aaron Epling
Second:	Mr. Greg St. Clair
Nays:	Vice President Aaron Epling, Mr. Steve Donato, Mr. James Martin, Mr. Greg St. Clair, Mr. Bobby Stepp

President's Communication

Mr. Talentino noted that there are applications for the April meeting.

Adjournment – 7:38 PM

Vice President Epling, seconded by Mr. Martin, motioned to adjourn at 7:38 p.m.

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk



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**STAFF REPORT
BOARD OF ZONING APPEALS
APRIL 21, 2022**

CASE 1: BZA-21-31 – Administrative Appeal – 5340 Franklin Street

PARCEL NUMBER: 050-000142

APPLICANT: Thomas Herlihy, 5340 Franklin Street, Hilliard, OH 43026, c/o Jeffrey Lucas, 1717 Bethel Road, Columbus, OH 43220.

REQUEST: Review and approval of an administrative appeal of a Notice of Violation issued by the Zoning Enforcement Officer concerning Hilliard Code Section 917 Weeds.

UPDATE:

On December 16, 2021, the Board of Zoning Appeals postponed this case to allow staff to work with the applicant on a solution to the pending zoning violation. Since that time the case has also been postponed from the February and March meeting agendas to provide additional time for the details of an agreement to be finalized. No agreement has been forthcoming, and staff requests that the Board makes a determination on the administrative appeal.

BACKGROUND:

The site is 0.16 acre located on the northeast side of Franklin Street approximately 130-feet northwest of Columbia Street. The site is zoned OH-MD, Old Hilliard, Mixed Use. The site is a vacant lot. On September 19, 2013, the Board granted an appeal of a notice of violation of Hilliard Code Section 1335.01, subsection 302.4 of the City's Property Maintenance Code concerning weeds and grass based on plans for gardens and wildflowers presented at that meeting. The applicant is now requesting approval of an administrative appeal of a Notice of Violation issued on July 27, 2021, concerning Hilliard Code Section 917 - Weeds.

CONSIDERATIONS:

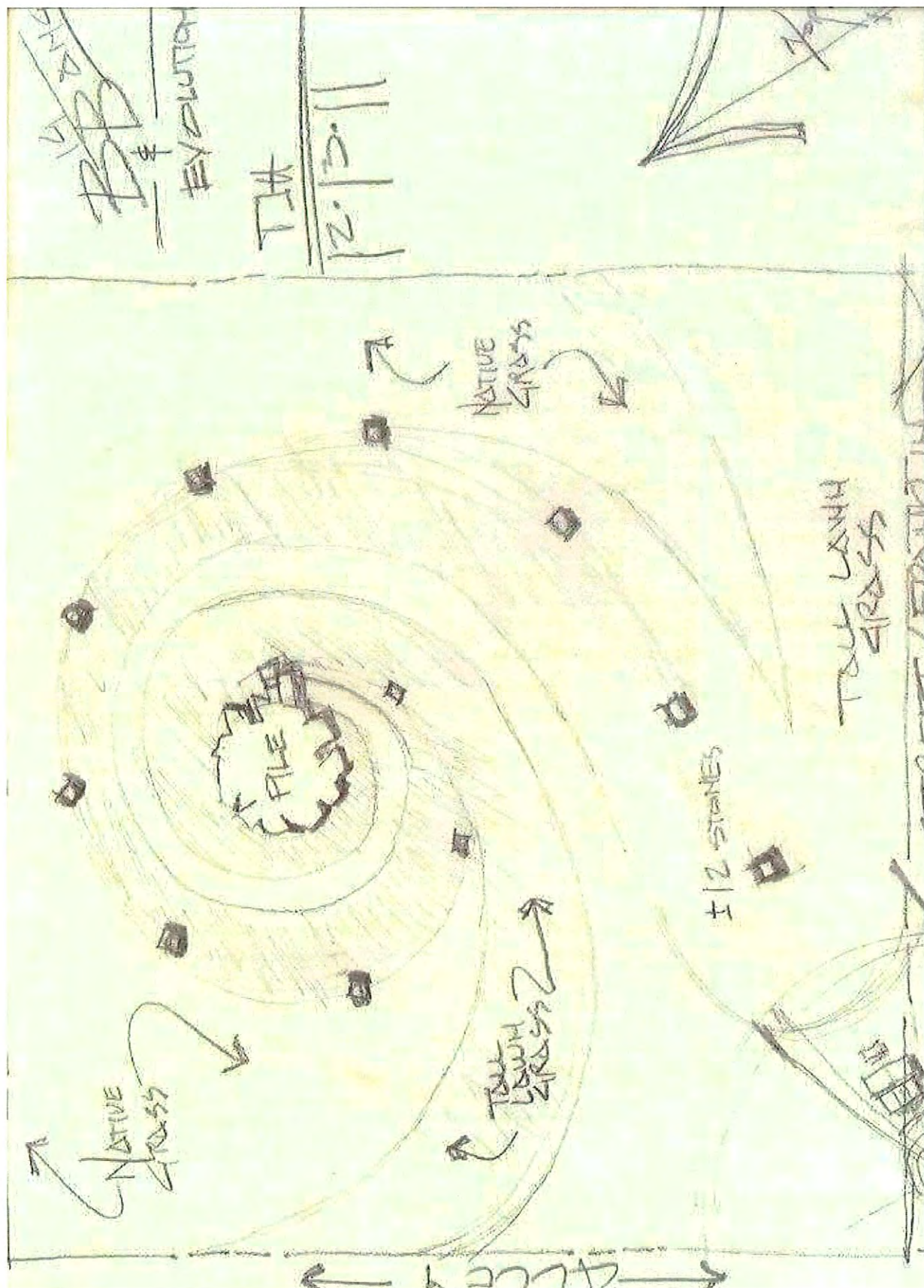
- The site is zoned OH-MD, Old Hilliard - Mixed Use. The adjacent land uses include residential homes along Columbia Street and Franklin Street, and a multi-tenant office building and parking lot to the north of the site.
- Hilliard Code Section 917.01(a)(9) defines weeds as plants that tend to grow thickly where they are not wanted and to choke out more desirable plants.
- Hilliard Code Section 917.01(a)(3) defines noxious weeds any type or species that has been included on the official list of noxious plants by the State of Ohio, Ohio Department of Agriculture, per Ohio Administrative Code Chapter 901:5-37 Noxious Weeds. Section 901:5-37-01 of the Ohio Administrative Code includes a list of prohibited noxious weeds.
- Hilliard Code Section 917.02(a) states that "No owner shall permit weeds, noxious weeds, herbage of rank growth, grasses, vines or other undesirable vegetation to grow thereon to a height in excess of six inches, or to spread or mature seeds thereon, or fail to cut and destroy such weeds, noxious weeds, herbage of rank growth, vegetation, grasses, vines or other undesirable vegetation when notified by the Zoning Officer or designee."
- Hilliard Code Section 917.02(b) states that the Zoning Officer shall determine when lots and lands in the City contain weeds, noxious weeds, herbage of rank growth, grasses, vines or other undesirable vegetation, which constitute a nuisance or endanger the public health

and shall see that such weeds, noxious weeds, herbage of rank growth, vegetation, grasses, vines or other undesirable vegetation are removed, or the nuisance abated.

- Hilliard Code Section 1106.03(a) states that an appeal to the Board of Zoning Appeals may be made by any person, or by any officer of the City, that is aggrieved by, or affected by, any decision of a Designated Code Enforcement Officer. The Administrative Appeal shall be made within 20 days after receipt of the written notice.
- Hilliard Code Section 1105.06 defines landscaping/landscaped area as “Any portion of a parcel of land that includes trees, planting beds, hedges, earth mounds, or other material designed and located in a manner complimentary or the overall architecture of the surrounding building and the character of the surrounding neighborhood.”
- The plan submitted with this application identifies areas of “nature grass” interspersed with areas of “Tall lawn grass”. Within the tall lawn grass are approximately 12 large stones with a pile of large stones in the middle of the site.
- The City Forester has identified many of the plant species in excess of six inches on site, which are not permitted per the Hilliard Design Manual including wild grapevine, callery pear, poison ivy, sowthistle, marestail, mulberry, honeysuckle, bindweed, clover/oxalis, fox tail grass, walnut, red clover, and dandelion.
- Marestail, bindweed, grapevine, and sowthistle are on the Noxious Weeds List per Ohio Administrative Code section 901:5-37-01.
- Additionally, Ohio Administrative Code Section 901:5-30-01 lists invasive plant species for Ohio. Included in that list are callery pear and honeysuckle, which have both been identified on the site.

STAFF RECOMMENDATION:

Staff finds that there are weeds, noxious weeds, and grass on the site in excess of six inches in height on the property. Staff finds that the property owner has been given adequate notice of the violations on the site and has failed to bring such violations into compliance within a reasonable time. Staff finds that the grasses, weeds, noxious weeds, and other vegetation on the site are not designed and located in a manner complimentary to the overall character of the surrounding neighborhood and does not meet the definition of landscaping per the City’s code. Surrounding properties do not have such an expansive area of plantings of this scope or at these heights, or in unmanicured areas and untrimmed to the average eye. Staff finds that the plantings on the parcel must be considered weeds under the provisions of Hillard City Code cited above. Staff finds that the site is in violation of section 917 of the Hilliard City Code. ***Based on these findings staff respectfully recommends that the decisions of the Zoning Enforcement Officer be upheld, that the appeal be denied and that the applicant pay the cost of the appeal as required by Code.***





IMAGES SUBMITTED BY THE APPLICANT





IMAGES SUBMITTED BY THE APPLICANT



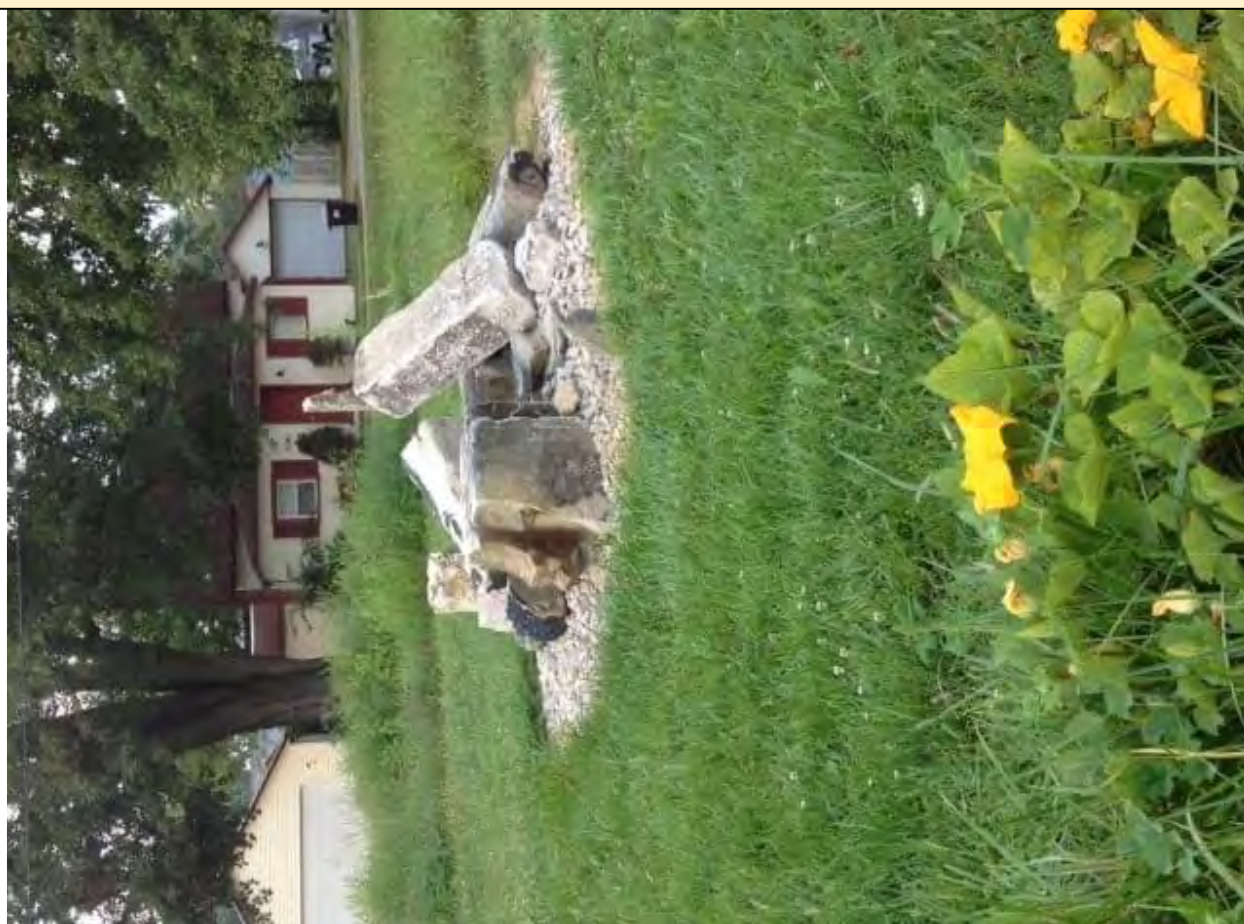


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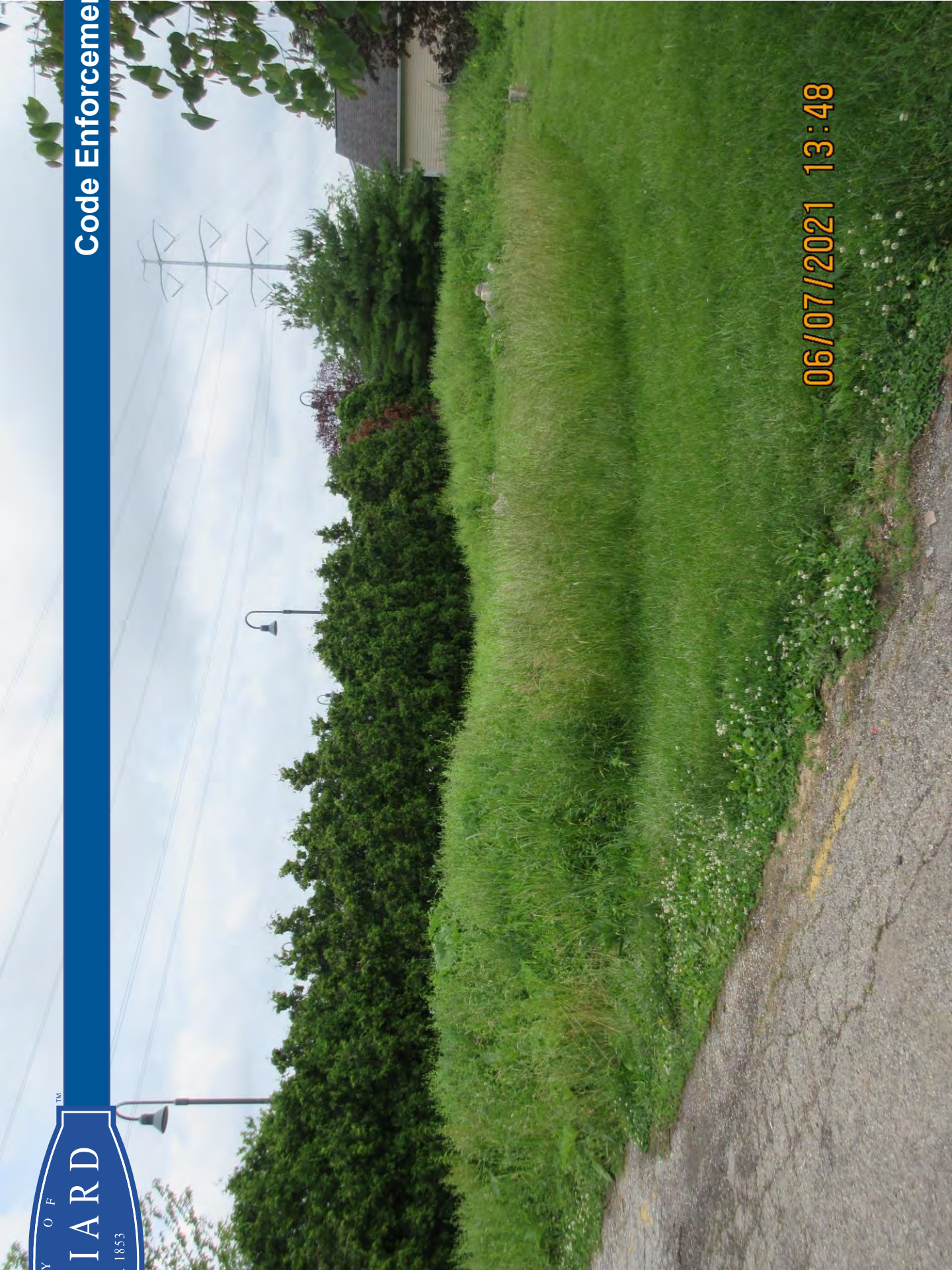
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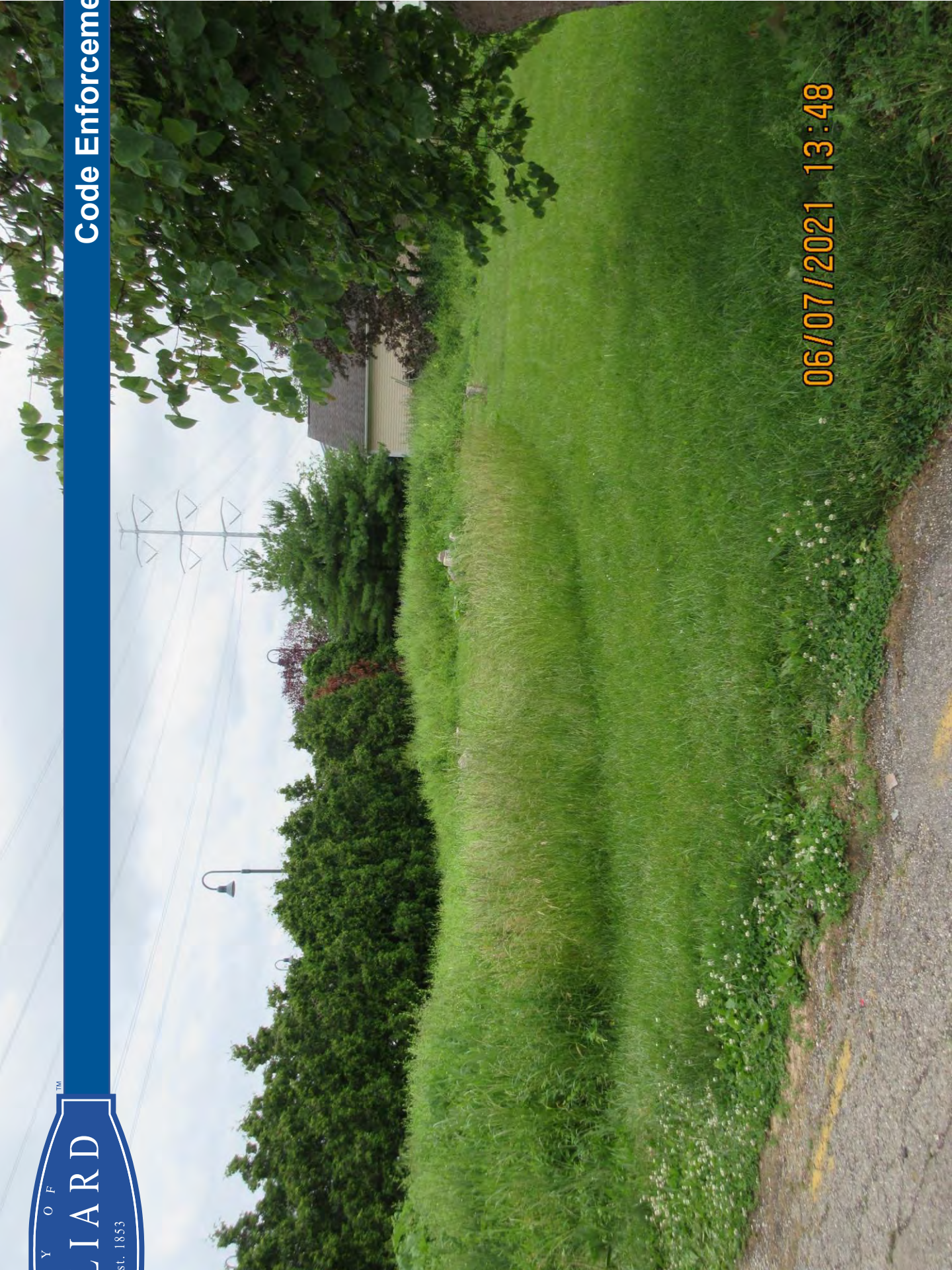


IMAGES SUBMITTED BY THE APPLICANT





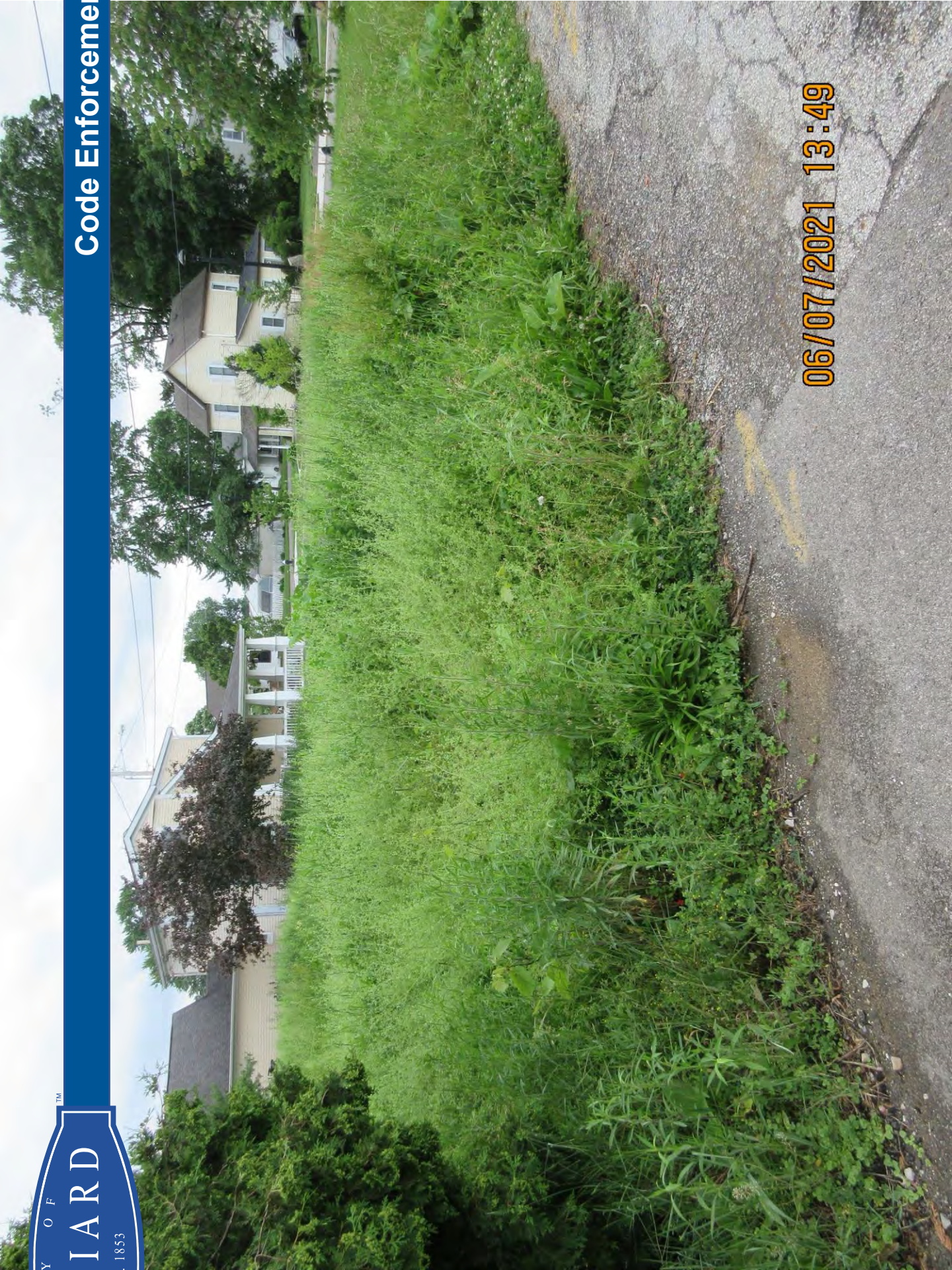
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06/07/2021 13:49



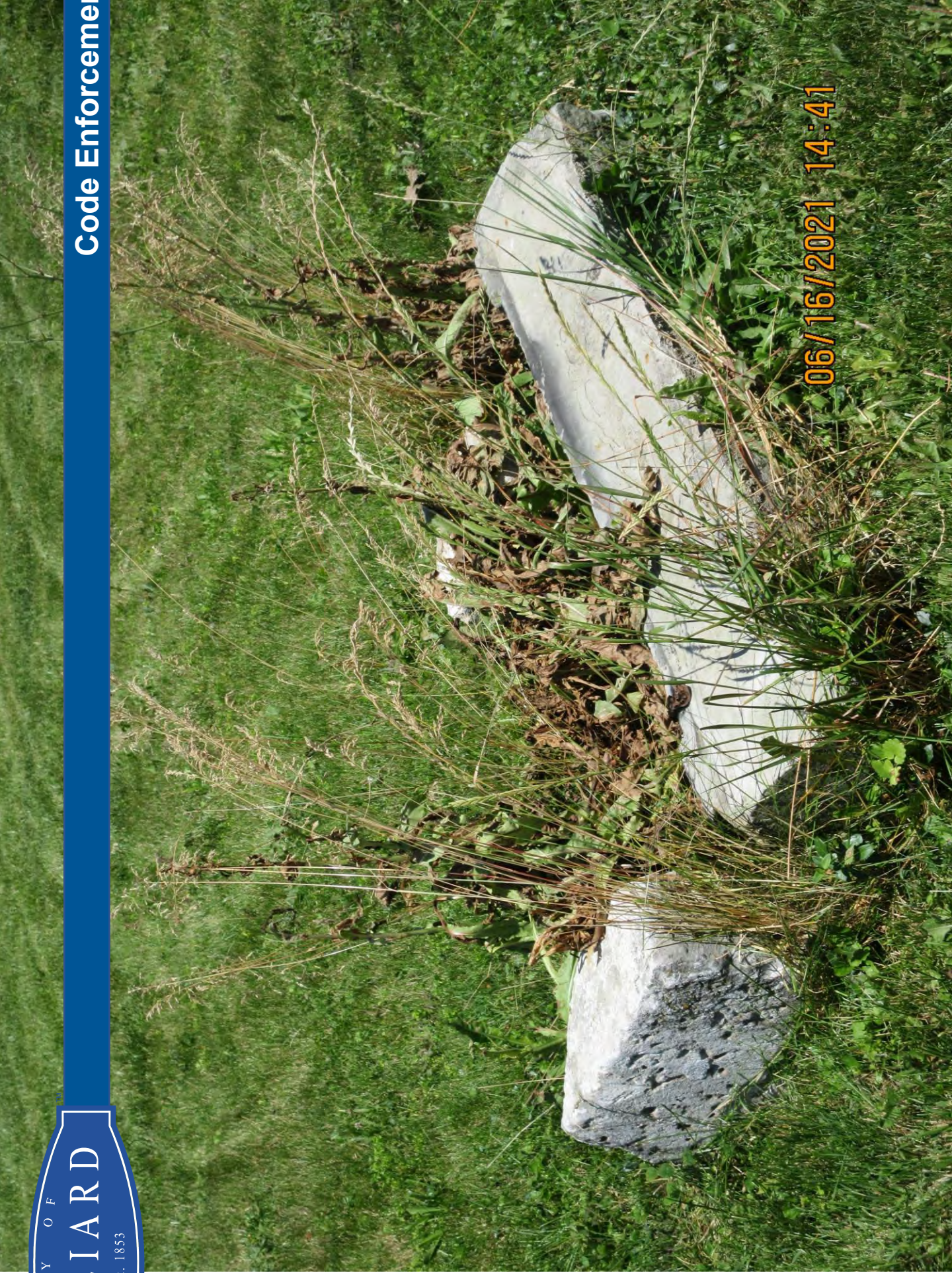
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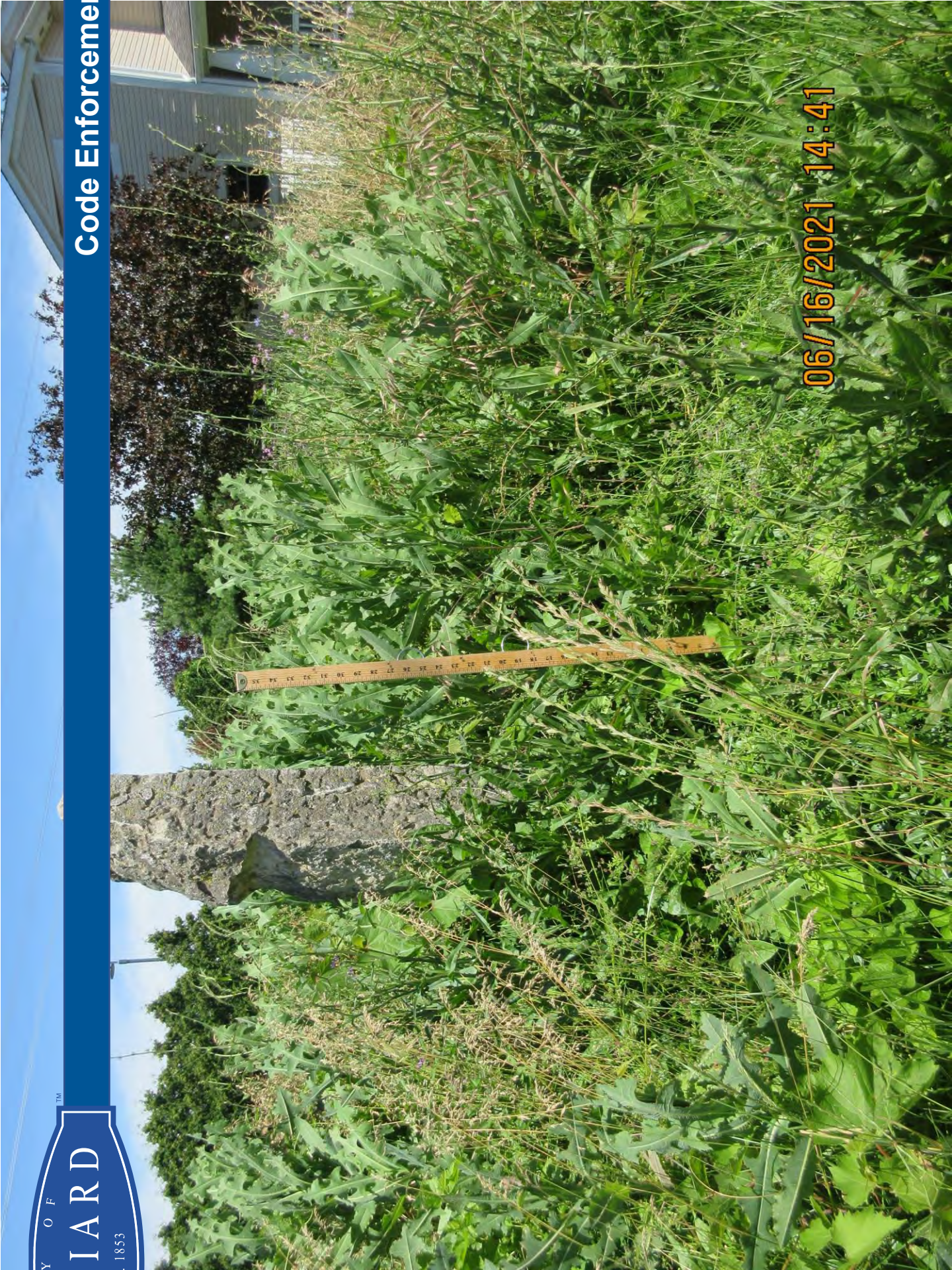
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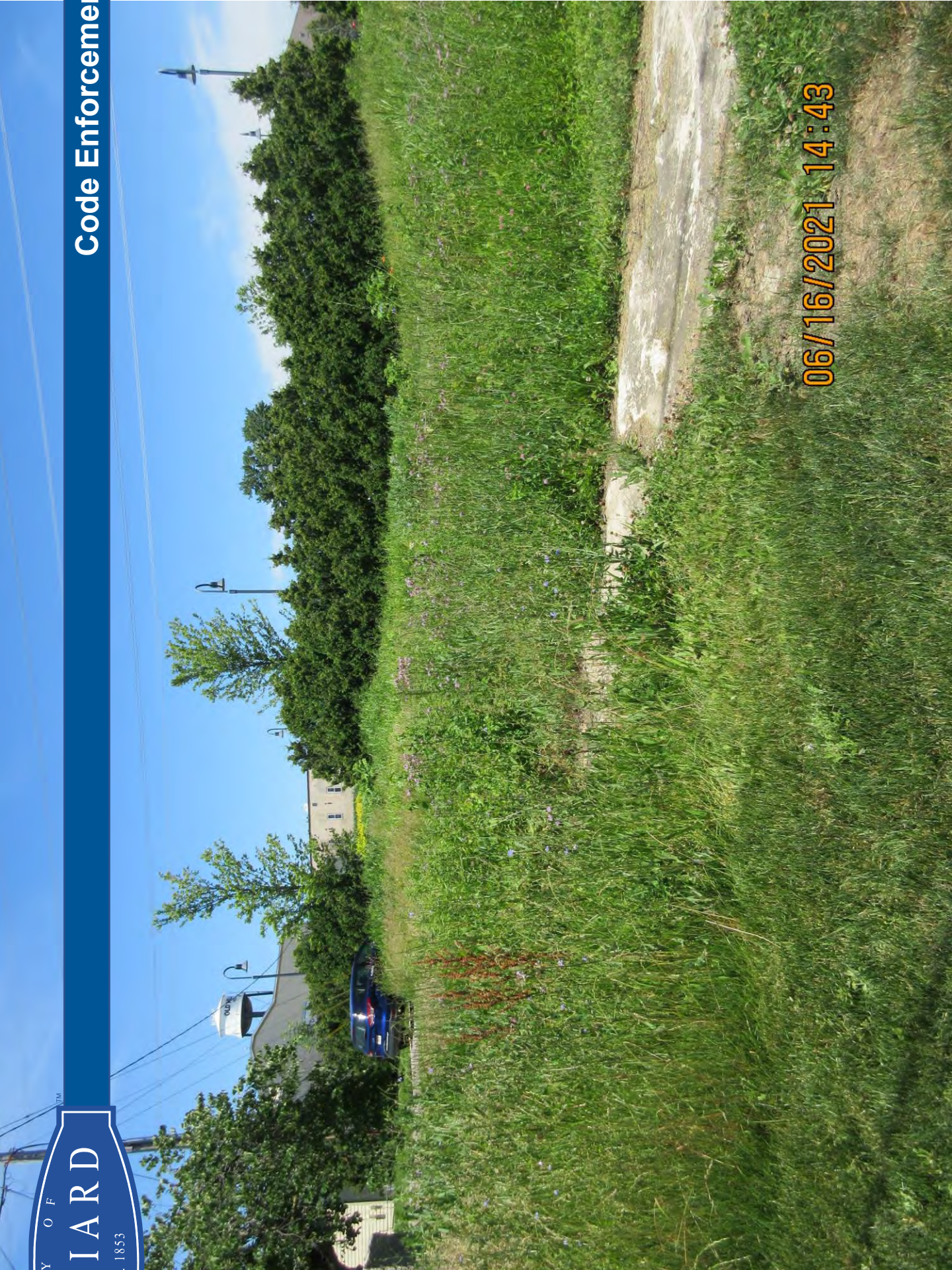


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06/16/2021 14:43



06/16/2021 14:43



07/26/2021 11:54



07/26/2021 11:55



07/26/2021 11:55



07/26/2021 11:56



07/26/2021 11:56

CASE 2: BZA-22-4 – L & A Auto Group - 4896 Scioto Darby Road

PARCEL NUMBER: 050-002579

APPLICANT: Rashid Salah, 4128 Hoffman Farms Drive, Hilliard, OH 43026; c/o Kamal Chinary, 2719 West Case Road, Columbus, OH 43235.

REQUEST: Review & approval of a variance from Hilliard Code Section 1125.05(b) to reduce the minimum vehicular use area perimeter landscaping and Section 1125.05(c) to reduce the minimum vehicular use area interior landscaping for a vehicle repair and vehicle sales business on 0.93 acre.

BACKGROUND:

The site is 0.93 acre located on the northeast side of Scioto Darby Road opposite Scioto Farms Drive. It consists of a 2,800-square-foot building which was most recently used for automotive repair. On April 14, 2016, the Commission approved a variance for additional wall signage. On March 12, 2020, the Commission approved a conditional use to permit a tire and brake shop and repair facility. On April 14, 2022, the Planning and Zoning Commission reviewed the application for conditional uses and a Level “B” site plan. The conditional use requests will now be forwarded to City Council for final disposition. This is a request to the Board for variances necessary to implement the proposed Level “B” site plan.

CONSIDERATIONS:

- The site and adjacent properties to the northwest and southeast are zoned B-2, Community Business District. To the southwest, across Scioto Darby Road, are single-family residences zoned R-3, Moderate Density Residential District. To the northwest is a vehicle repair business. To the southeast is a single-family residence. To the northeast is retired railroad corridor property.
- Section 1106.04(a)(1) sets forth the following standards for variance requests:
 - A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
 - B. Whether the variance is substantial;
 - C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
 - D. Whether the variance would adversely affect the delivery of governmental services such as water distribution, sanitary sewer collection, electric distribution, stormwater collection, or refuse collection;
 - E. Whether the property owner purchased the property with knowledge of the zoning restriction;
 - F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
 - G. Whether the existing conditions from which a variance is being sought were self-created; and
 - H. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
 - The site currently has approximately 58 feet of asphalt at the Scioto Darby Road right-of-way line as a driveway entrance. The proposed plan shows that 20 feet of existing asphalt will be removed along the Scioto Darby Road frontage resulting in a 25-foot-wide driveway entrance and a minimum 20-foot pavement setback from the right-of-way line. The proposed plan shows an approximately 10,000-square-foot parking lot expansion on the southeast and northeast sides of the building to the rear.

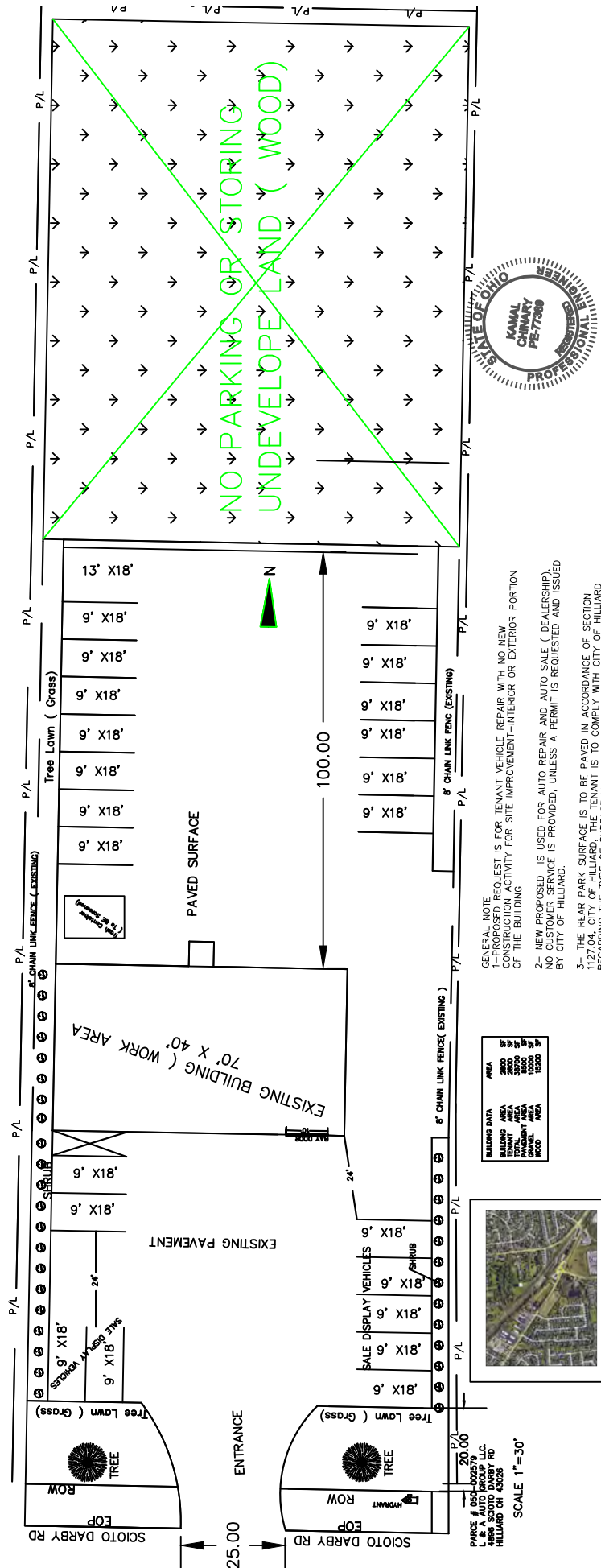
- The building has one vehicle bay. Hilliard Code Section 1127.03 states that the required parking for a vehicle repair facility is 2 parking spaces per vehicle bay and 1 per employee. The number of employees has not been specified. The proposed plan shows 7 vehicle display parking spaces and two customer parking spaces in front of the building, and 14 parking spaces behind the building. Staff recommends that the hours of operation for this building be limited to between 8:00 a.m. and 8:00 p.m. The outdoor storage of vehicle parts is prohibited.
- Storm water management for the site improvements must conform to the provision of the Hilliard Storm Water Design Manual.
- The current site does not meet the landscaping requirements for perimeter landscaping for vehicular use area. The proposed plan shows two trees along the site's Scioto Darby Road frontage and shrubs along the sides of the front parking area. **[Staff recommends that the landscape plan be revised to show the following:**
 - 1) **For the vehicular use area behind the building, a minimum 10-foot pavement setback from the side property lines be specified, plus 2 trees and 30 shrubs per 100 linear feet be provided along the perimeter consistent with the provisions of Hilliard Code Section 1125.05.**
 - 2) **For the vehicular use area in front of the building, a minimum 20-foot pavement setback from the Scioto Darby Road right-of-way line, plus 2 trees and 30 shrubs per 100 linear feet along the Scioto Darby Road frontage.**
 - 3) **For the vehicular use area in front of the building, 30 shrubs per 100 linear feet along the side property lines.]**
- On November 10, 2022, a notice of violation was sent regarding the following violations, and follow-up meetings were held on November 24 and January 13 to address corrections:
 - A. No zoning certificate on file to operate legally;
 - B. Fencing in an improper location and without permits;
 - C. Inoperable vehicles and vehicles not parked on an improved surface;
 - D. Dumpster area not screened per Code; and
 - E. Signage without a permit.
- On January 31, 2022, a Final Violation Notice was sent ordering that operations be discontinued as of February 28, 2022. On February 23, 2022, fees for necessary site plan approval, conditional use requests and variances were paid to process applications.

STAFF RECOMMENDATION:

Staff finds that the existing conditions make it practically difficult to provide vehicular use area perimeter landscaping along the side property lines and vehicular use area interior landscaping per Code without a variance. Staff finds that the proposed variance is not substantial. Staff finds that the essential character of the neighborhood would not be substantially altered as a result of the proposed variance. Staff finds that the variance would not adversely affect the delivery of governmental services. Staff finds that the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. Based on these findings, consistent with the provisions of Hilliard Code Section 1106.04, staff recommends approval of the proposed variance with the following 6 conditions:

- 1) That all conditions of Planning and Zoning Commission approval on April 14, 2002, are met;
- 2) That the width of the vehicular use area perimeter landscaping along the sides as it exists in front of the building be approved as proposed;

- 3) That the plans are revised to show the vehicular use area in front of the building will have two trees along the Scioto Darby Road frontage and 30 shrubs per 100 linear feet along the entire perimeter;
- 4) That the vehicular use area interior landscaping in front of the building be approved as proposed;
- 5) That the vehicular use area behind the building is not less than 10 feet from the side property lines and is landscaped with 2 trees and 30 shrubs per 100 linear feet consistent with the provisions of Hilliard Code Section 1125.05; and
- 6) That the plans are revised to show the proposed vehicular use area behind the building will conform to the perimeter and interior landscaping requirements specified in Hilliard Code Section 1125.05.





CASE 3: BZA-22-10 – Green Residence – 4200 Dublin Road #6**PARCEL NUMBER:** 050-006662**APPLICANT:** Troy & Emily Green, 4200 Dublin Road, #6, Hilliard, Ohio 43026.**REQUEST:** Review & approval of a variance from Hilliard Code Section 1121.02(b)(7) to increase the maximum size of an accessory structure from 900 square feet to 1120 square feet.**BACKGROUND:**

The site is 1.64 acre located approximately 750 feet east of the intersection of Dublin Road and Shirtzinger Road. The site and surrounding properties to the north, east, and west are zoned R-1, Low Density Residential. To the south are single family homes zoned PUD. According to Franklin County Auditor records, the site consists of a single-family residence with a total area of 2,250-square-feet. The applicant is requesting approval of a variance from Hilliard Code Section 1121.02(b)(7) to permit an accessory building that exceeds the 900-square foot maximum.

CONSIDERATIONS:

- On January 21, 2021, the Board of Zoning Appeals (Case #20-0160AR) granted a variance to Section 1121.02(b)(6) to increase the accessory building height from 14 feet to 18 feet and from Section 1121.02(b)(1) to permit the installation of gravel instead of a paved driveway.
- The accessory building approved by the Board of Zoning Appeals for the north end of the property is proposed to be extended in length by an additional 8 feet. The footprint has been increased from 896-square feet (28'x32') with side porch to 1,120 square feet (28'x40') with side porch. Section 1121.02(b)(7) requires that accessory buildings cannot exceed 50 percent of the principal building floor area or 900 square feet, whichever is less. While the proposed building exceeds the 900-square foot threshold, it does generally conform to the 50 percent requirement. The accessory building would be constructed on a larger R-2 lot that has significant tree cover and screening.
- The garage will be 18-feet in height measured per code; the first story will function as a garage and the second story shall provide storage space as previously approved. Architecture for the garage integrates with the surrounding buildings and features numerous elements to provide variation on each elevation.
- Access to the accessory building is provided via a shared drive with the two residences north of the site. Plans include a gravel connection from the garage to this shared access drive.

STAFF RECOMMENDATION:

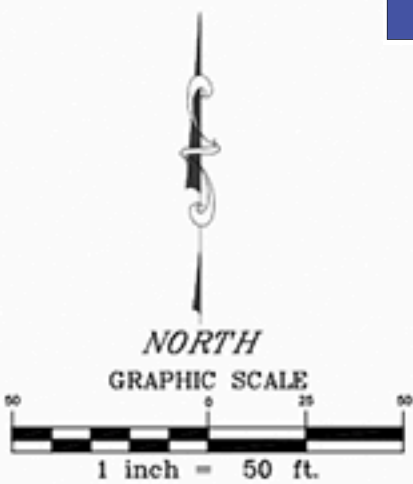
Staff finds that there could be a beneficial use of the property without the variance, but that the proposed variance to permit a slightly larger structure will not impact the character of the neighborhood and is not substantial given the nature of the property and the proposed location. The proposed variance will not adversely affect services, and the proposal is consistent with the general spirit and intent of the Code. Based on these findings, consistent with the provisions of Hilliard Code Section 1121.02(b)(7), staff recommends approval of the increased accessory building size with four conditions:

- 1) That the proposed garage is limited to 18 feet in height, as measured by Code;
- 2) That the gravel driveway be permitted as previously approved;
- 3) That the existing accessory structure be removed before or at the time of completion of the new accessory structure; and
- 4) That a zoning certificate and required permits be obtained prior to construction.



VICINITY MAP

BEARINGS ARE BASE ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83(2011), SAID BEARINGS WERE DERIVED FROM GPS OBSERVATIONS, AND ARE USED TO DENOTE ANGLES

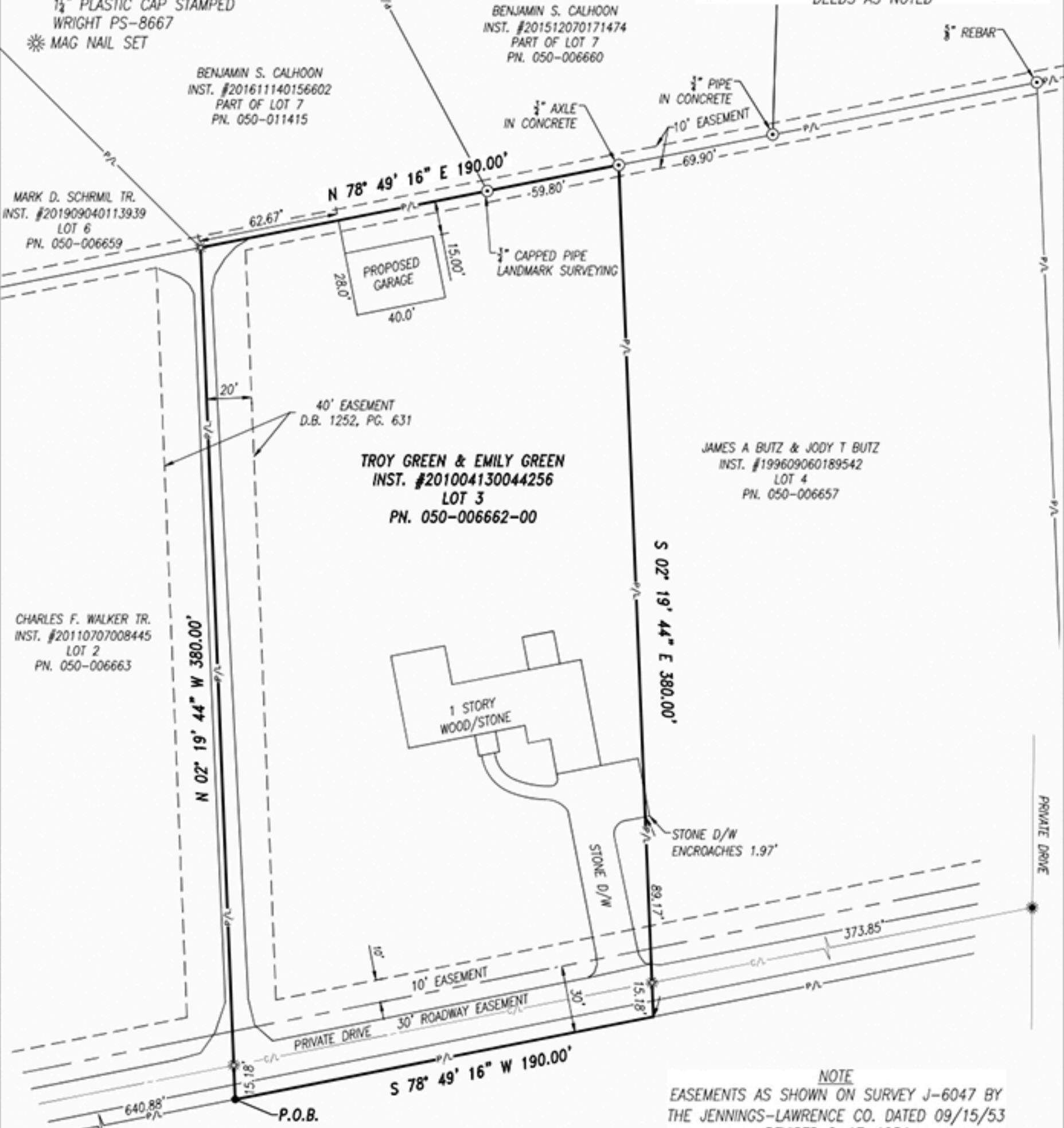


LEGEND

- FOUND AS NOTED
- ⊗ MAG NAIL FOUND
- 3/8" x 30" REBAR SET WITH 1 1/2" PLASTIC CAP STAMPED WRIGHT PS-8667
- ⊗ MAG NAIL SET

REFERENCES

SURVEY J-6047 BY THE JENNINGS-LAWRENCE CO. DATED 09/15/53 REVISED 2-17-1954
COUNTY TAX MAPS
DEEDS AS NOTED



TROY GREEN & EMILY GREEN
INST. #201004130044256
LOT 3
PN. 050-006662-00

JAMES A BUTZ & JODY T BUTZ
INST. #199609060189542
LOT 4
PN. 050-006657

NOTE

EASEMENTS AS SHOWN ON SURVEY J-6047 BY THE JENNINGS-LAWRENCE CO. DATED 09/15/53 REVISED 2-17-1954



I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS DONE FROM AN ACTUAL SURVEY, BY ME OR UNDER MY SUPERVISION ON 03-29-2021, AND THAT SAID PLAT CORRECTLY REPRESENTS SAID SURVEY

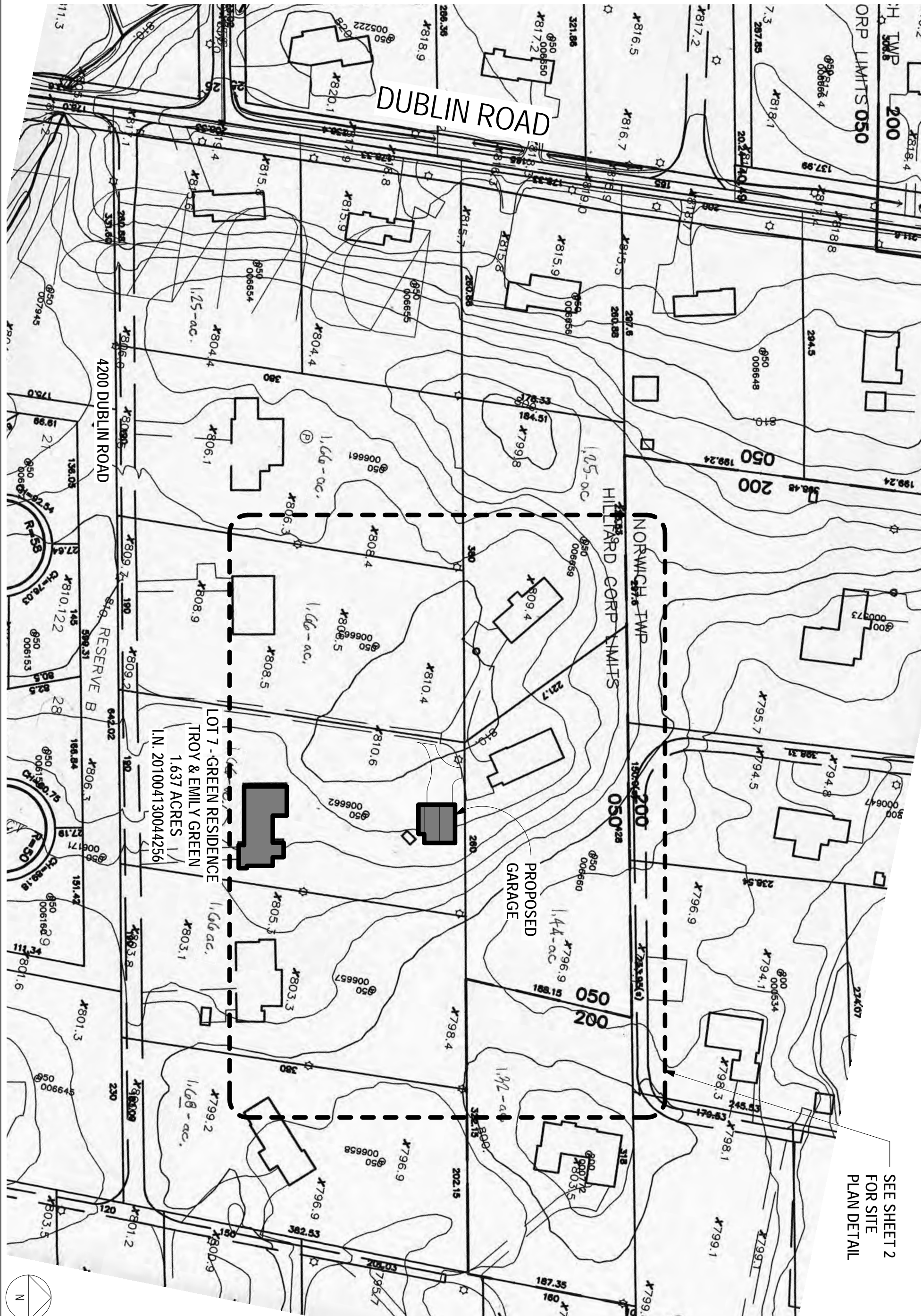
Drew Wright 3-22-22
DREW WRIGHT #8667

SURVEY FOR TROY GREEN & EMILY GREEN

BEING LOT NUMBER 3 IN MEADOW GROVE SUBDIVISION (UNRECORDED)
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF HILLIARD,
A PART OF SURVEY NO. 1406, VIRGINIA MILITARY LANDS

ADDRESS:	4200 DUBLIN RD.
CITY:	HILLIARD, OH. 43221
PROJECT NUMBER:	GREEN
SCALE:	1"=50'
DATE:	03/29/2021
SHEET:	1 OF 1

REV	DATE	DESCRIPTION	BY	CKD
1	3/18/22	ADDED PROPOSED GARAGE		



SEE SHEET 2
FOR SITE
PLAN DETAIL

**GARAGE
TROY & EMILY GREEN RESIDENCE**

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

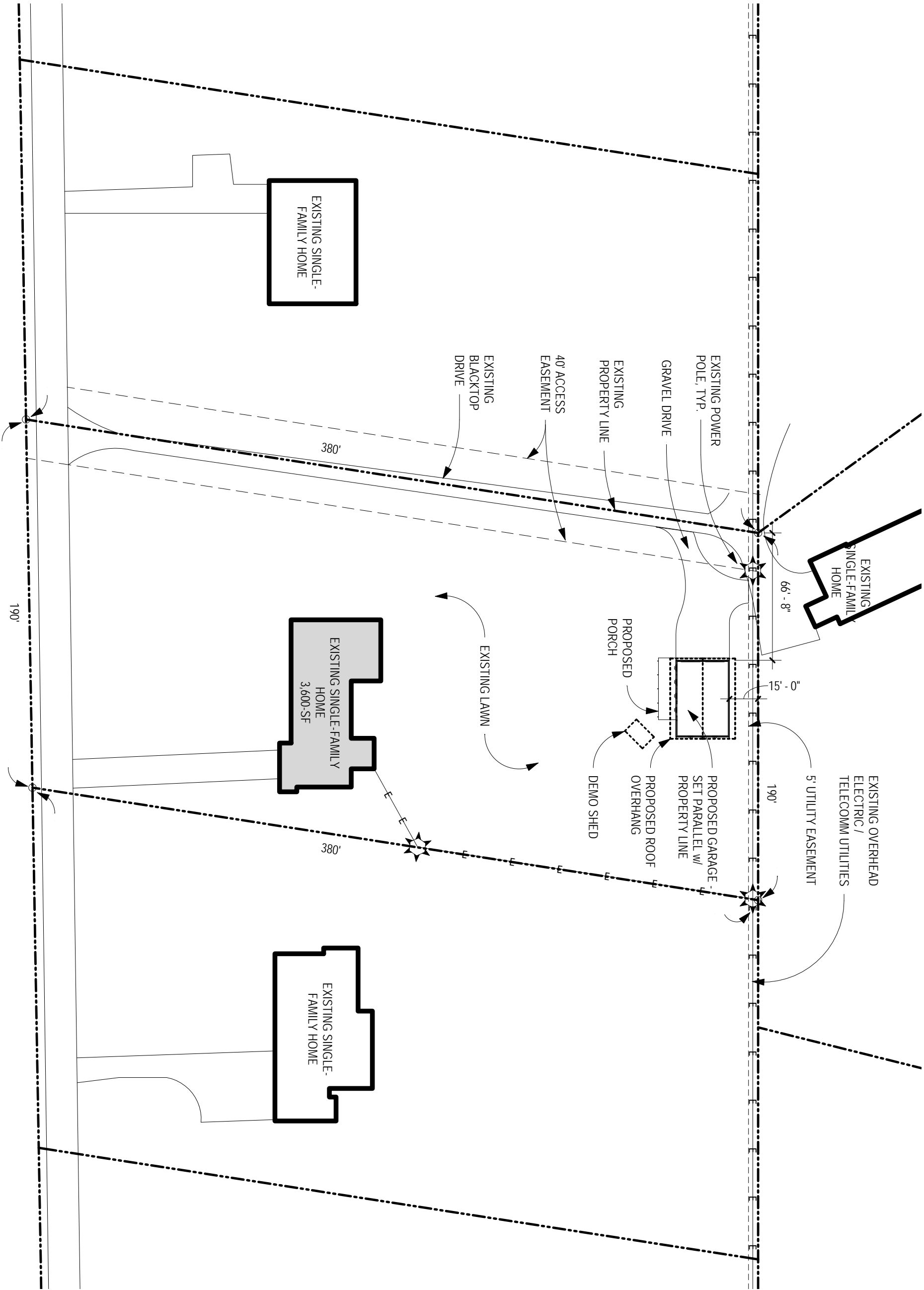
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

VICINITY
PLAN

SCALE: 1" = 100'-0"

1

JOB NO.:
DATE: 3-5-2021



**GARAGE
TROY & EMILY GREEN RESIDENCE**

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

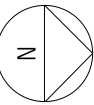
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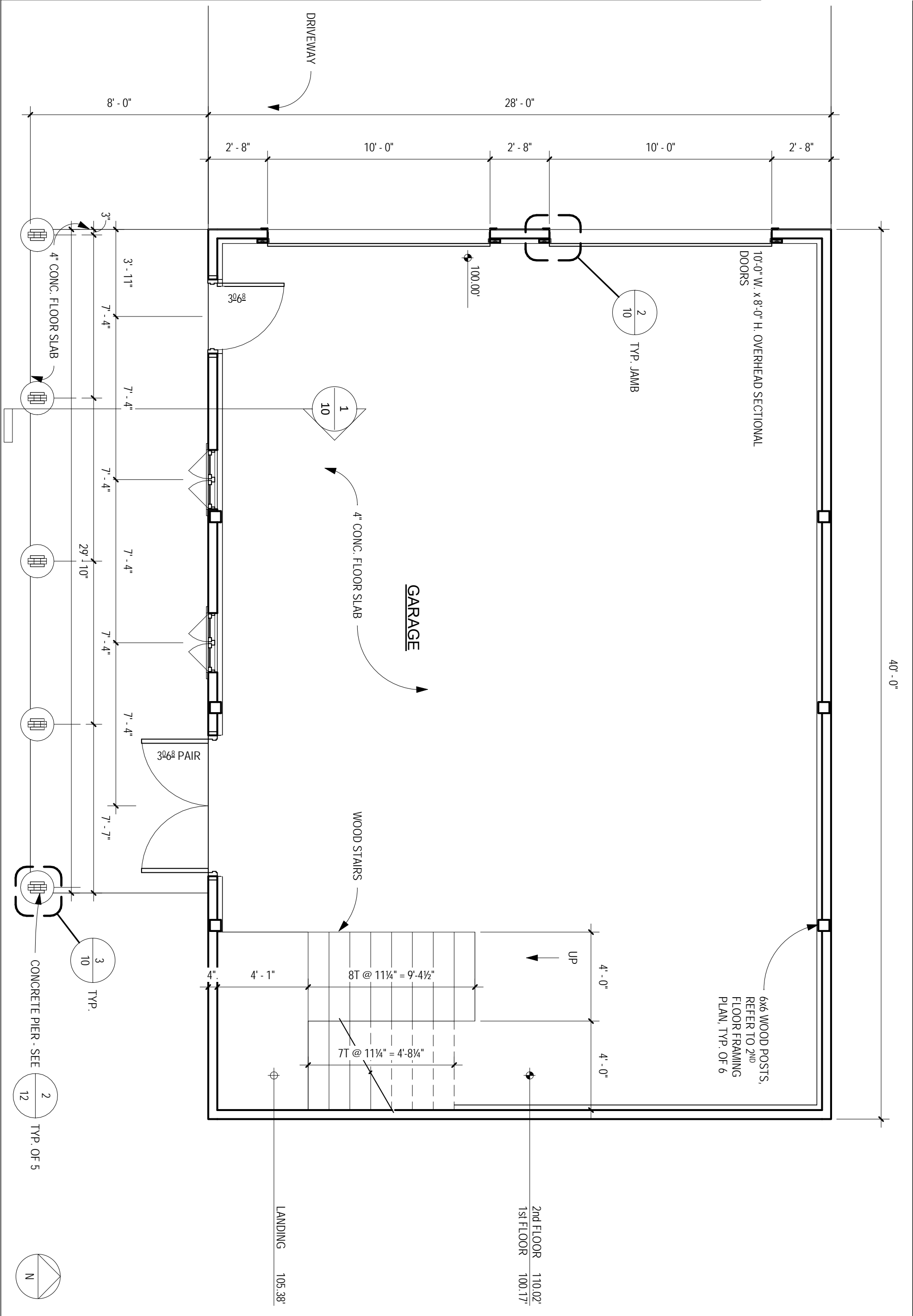
SITE PLAN

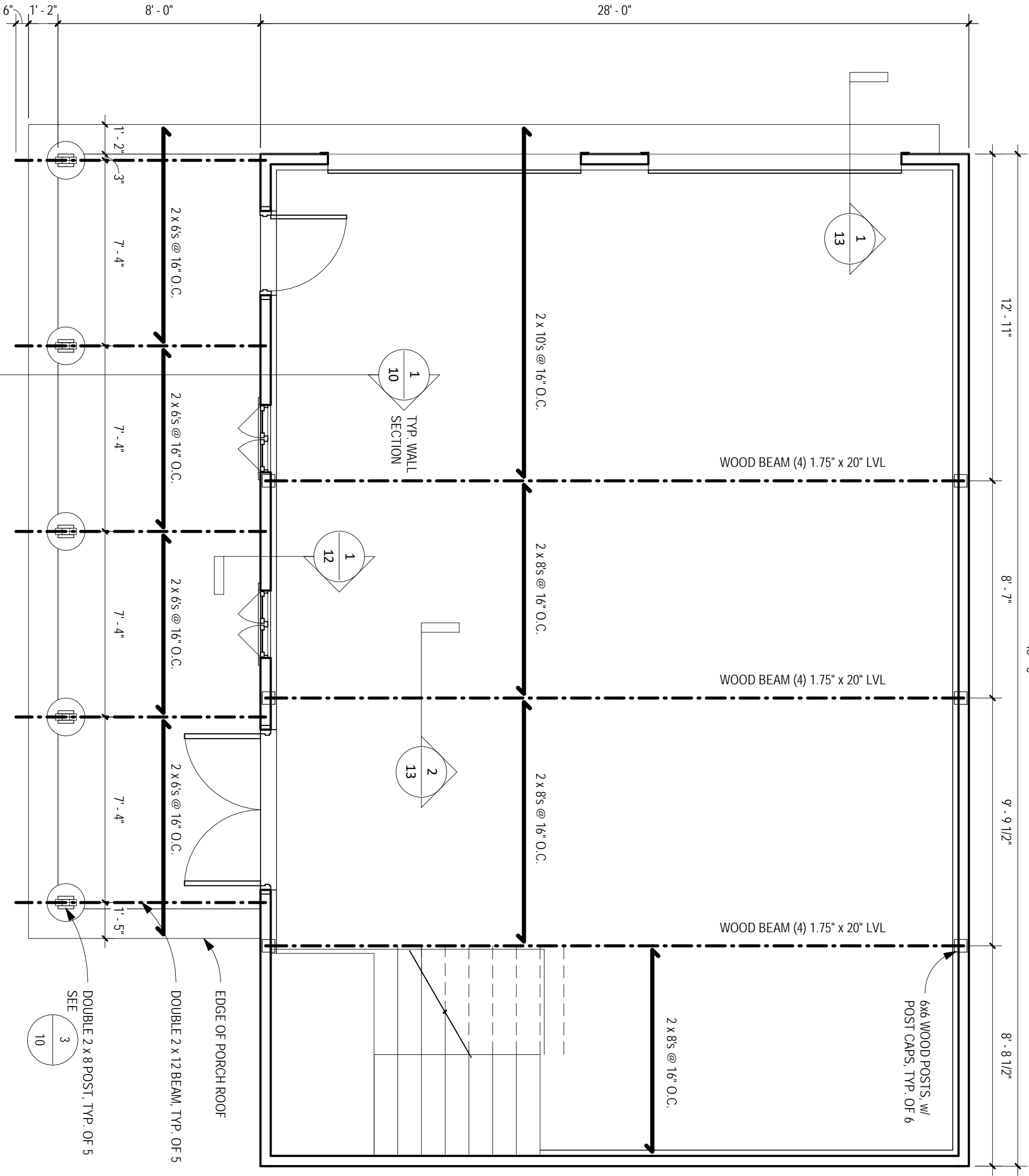
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2

JOB NO.: -
DATE: 3-5-2021







GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

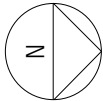
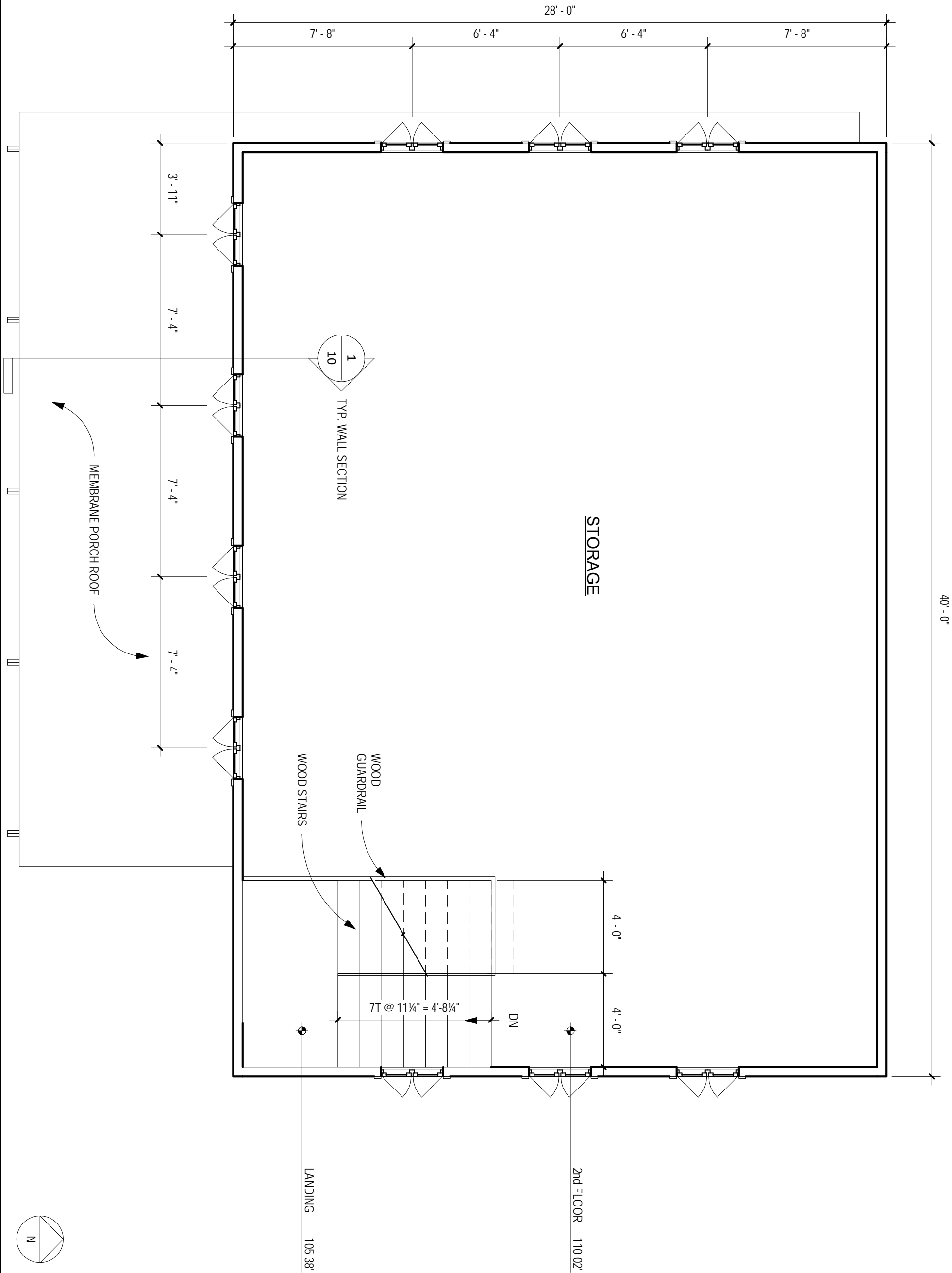
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

SECOND
FLOOR
FRAMING
PLAN

SCALE: 1/4" = 1'-0"

4

JOB NO.: -
DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

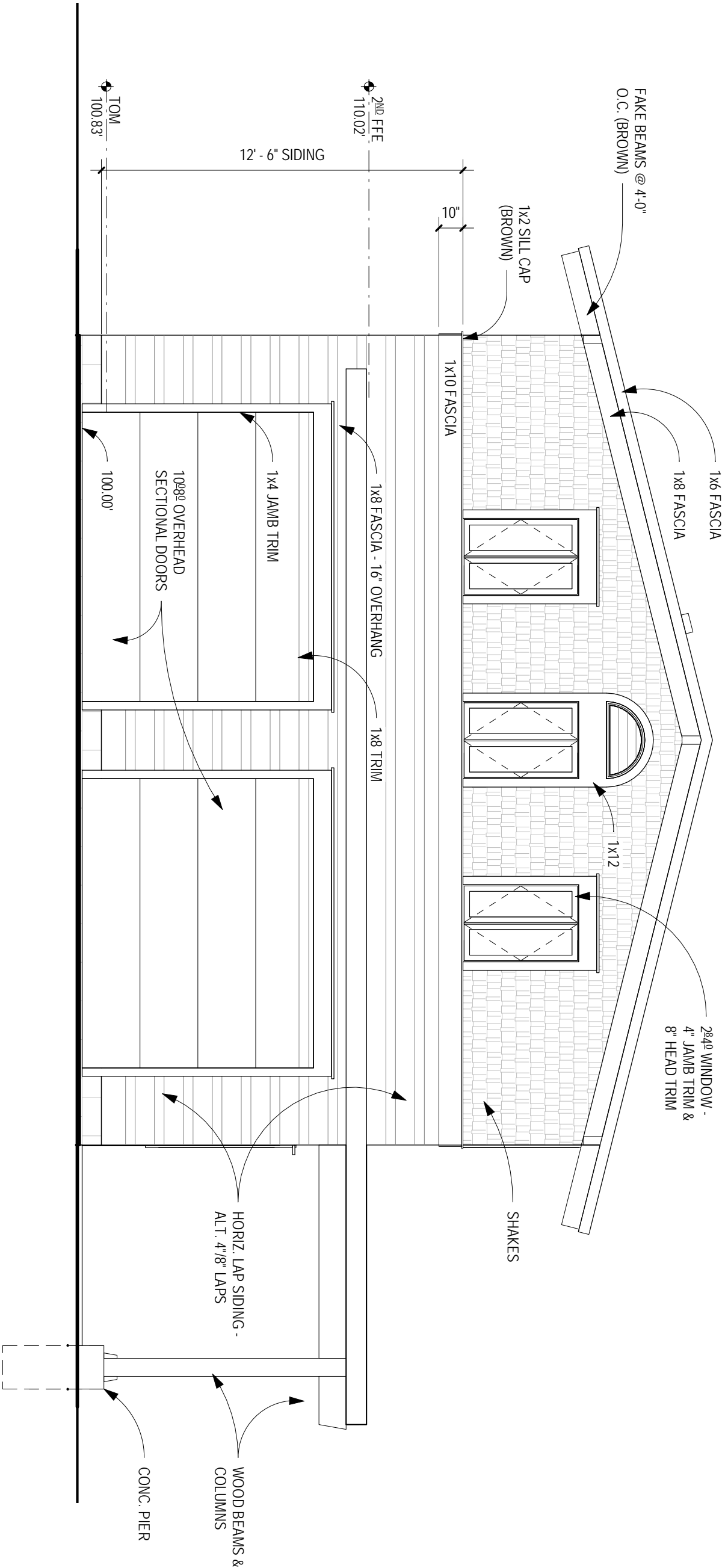
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DRAWN BY: EM
CHECKED BY: JB

**SECOND
FLOOR
PLAN**

SCALE: 1/4" = 1'-0"

5

JOB NO.: -
DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

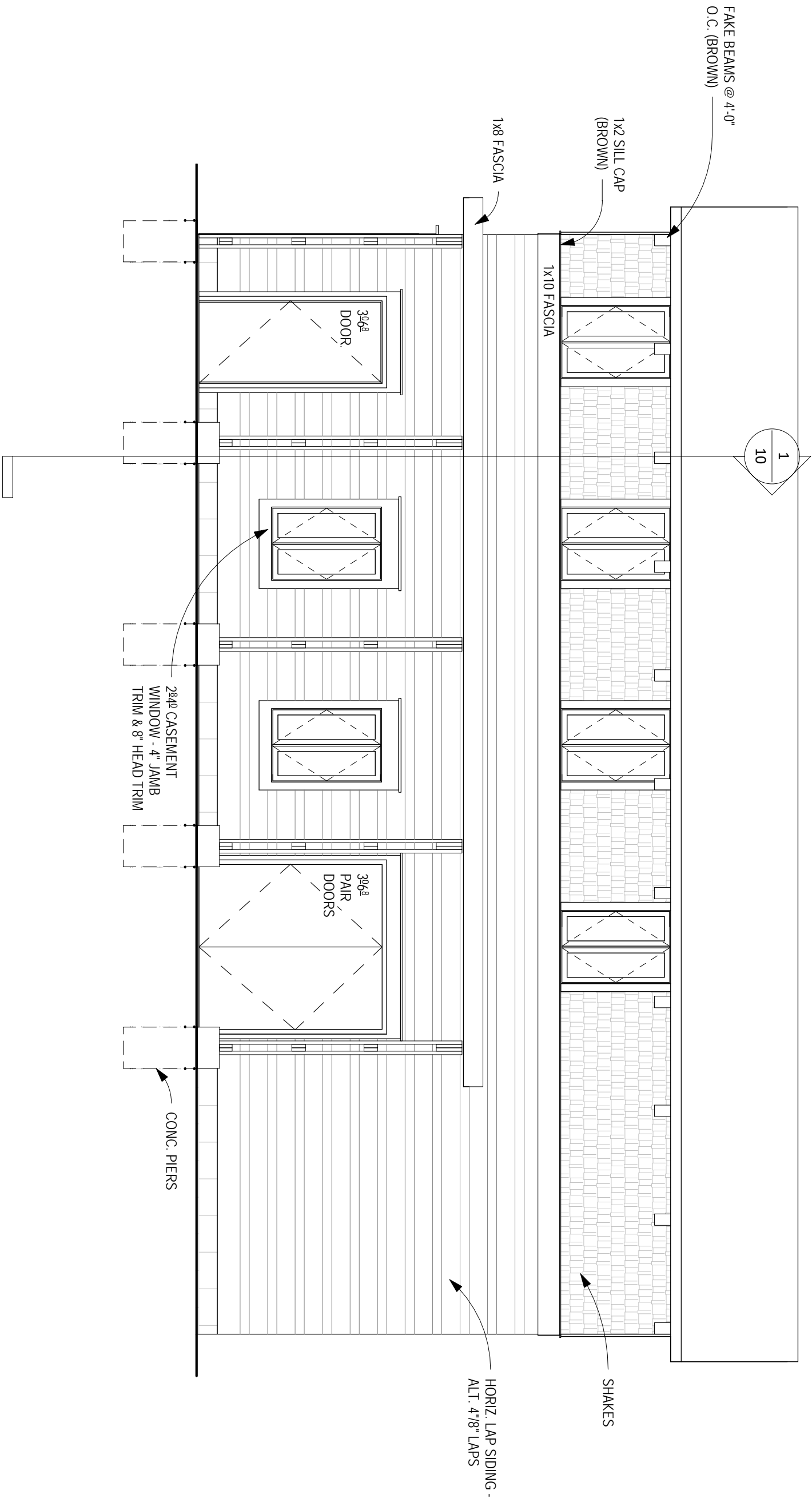
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

WEST
ELEVATION

SCALE: 1/4" = 1'-0"

6

JOB NO.: -
DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

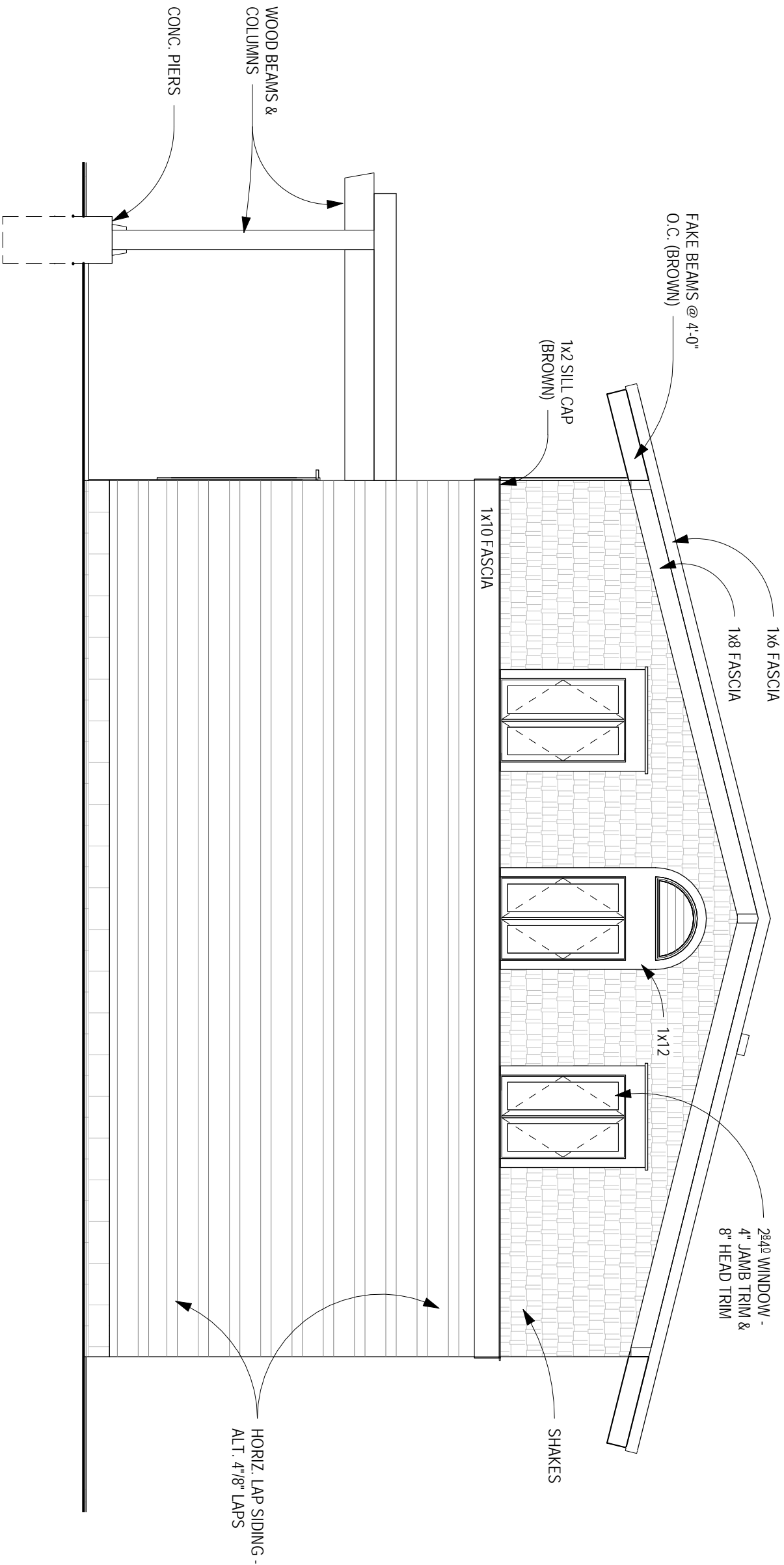
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

SOUTH
ELEVATION

SCALE: 1/4" = 1'-0"

7

JOB NO.: -
DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

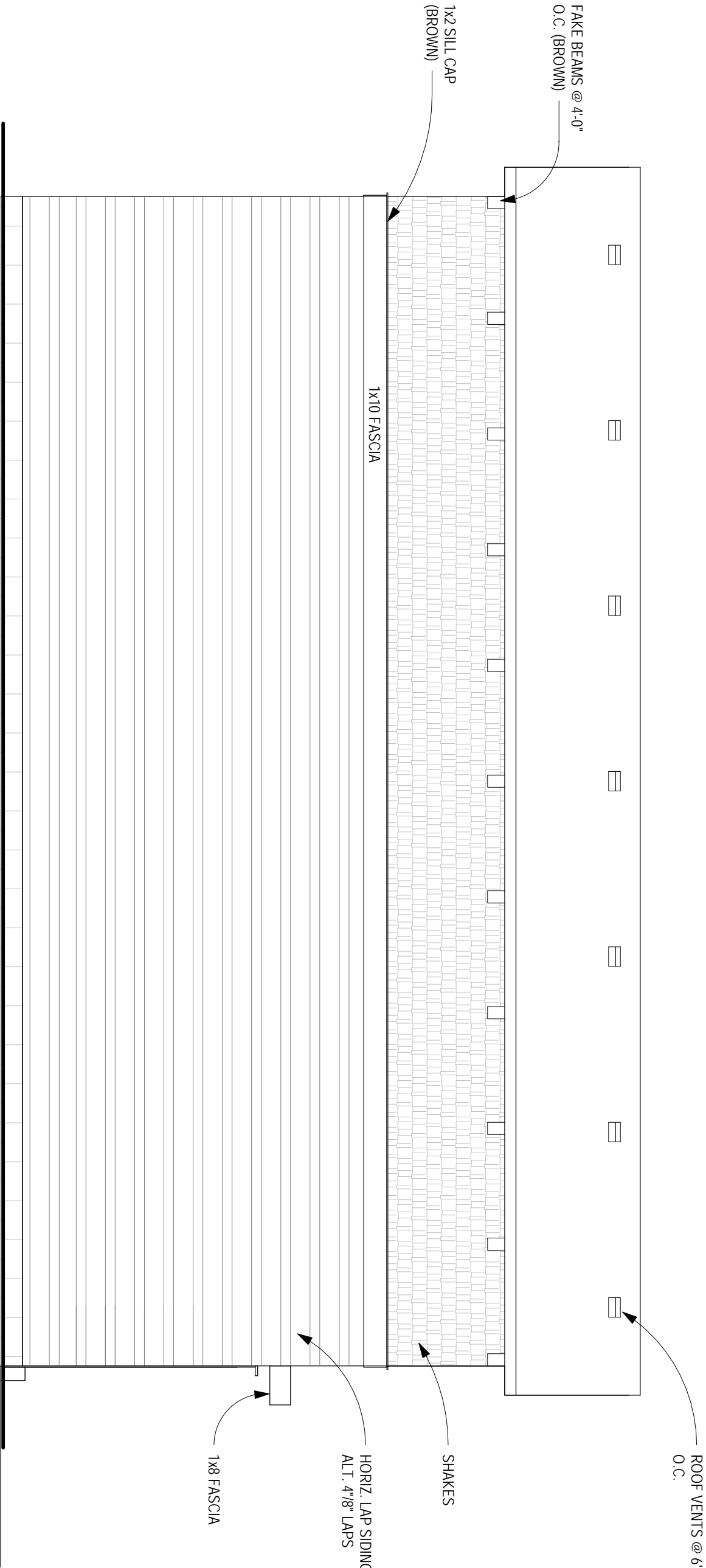
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CHECKED BY: JB

EAST
ELEVATION

SCALE: 1/4" = 1'-0"

8

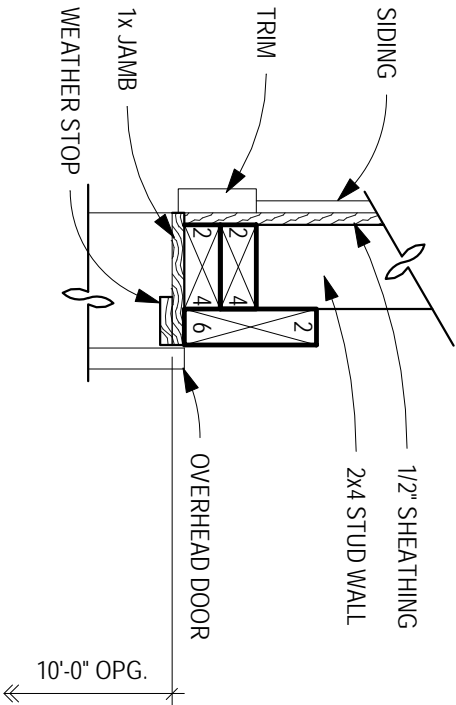
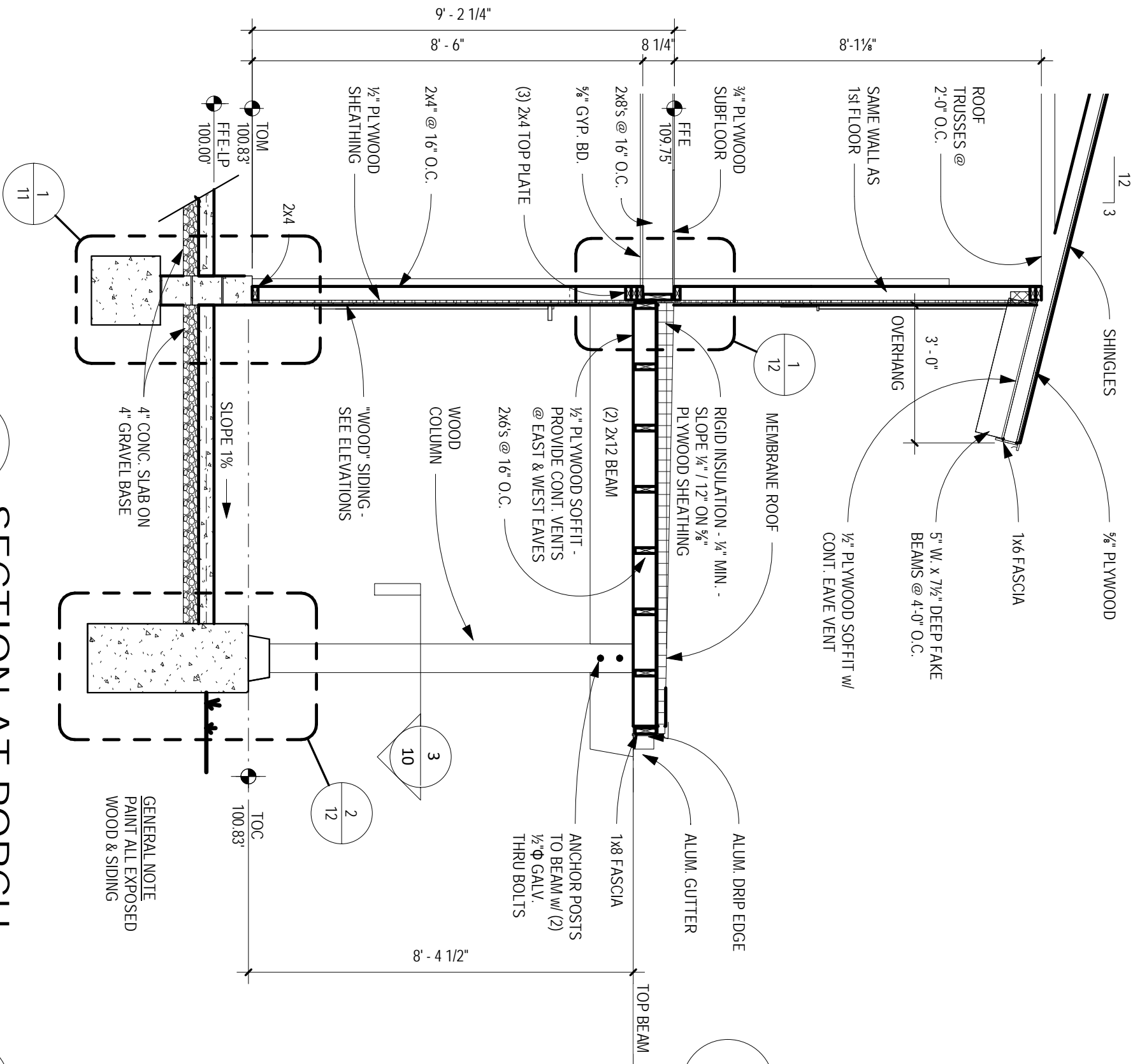
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DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

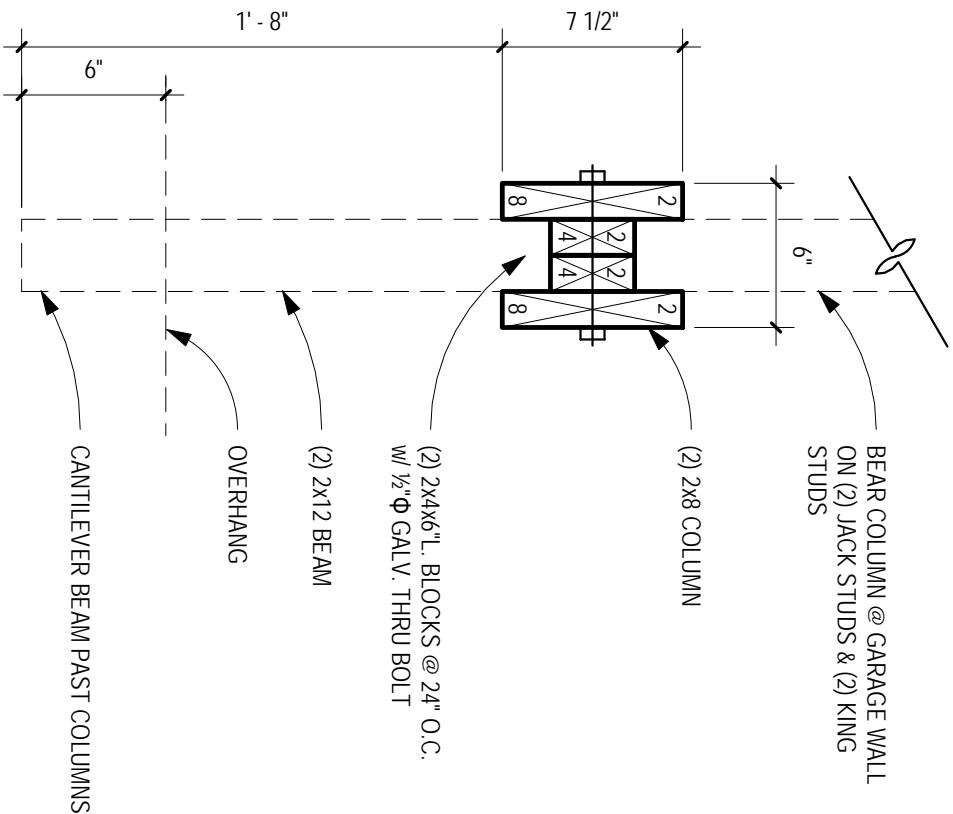
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB



OVERHEAD DOOR JAMB

2

1 1/2" = 1'-0"



PORCH COLUMN DETAIL

3

1 1/2" = 1'-0"

SECTION AT PORCH

1

3/8" = 1'-0"

GARAGE TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

DESIGNED BY: JB

DRAWN BY: EM

CHECKED BY: JB

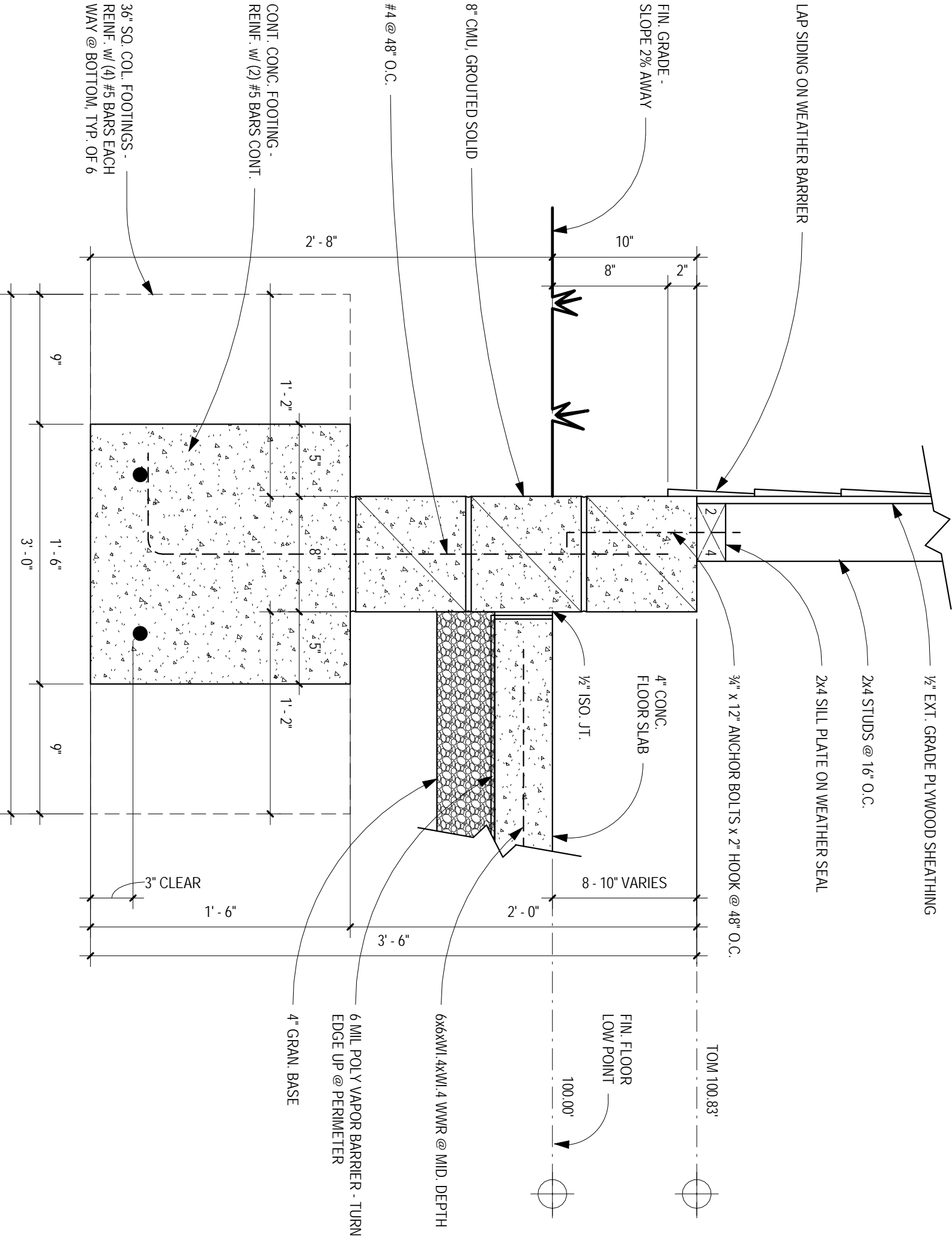
TYP. WALL
SECTION &
DETAILS

SCALE: As indicated

10

JOB NO.: -

DATE: 3-5-2021



GARAGE
TROY & EMILY GREEN RESIDENCE
4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

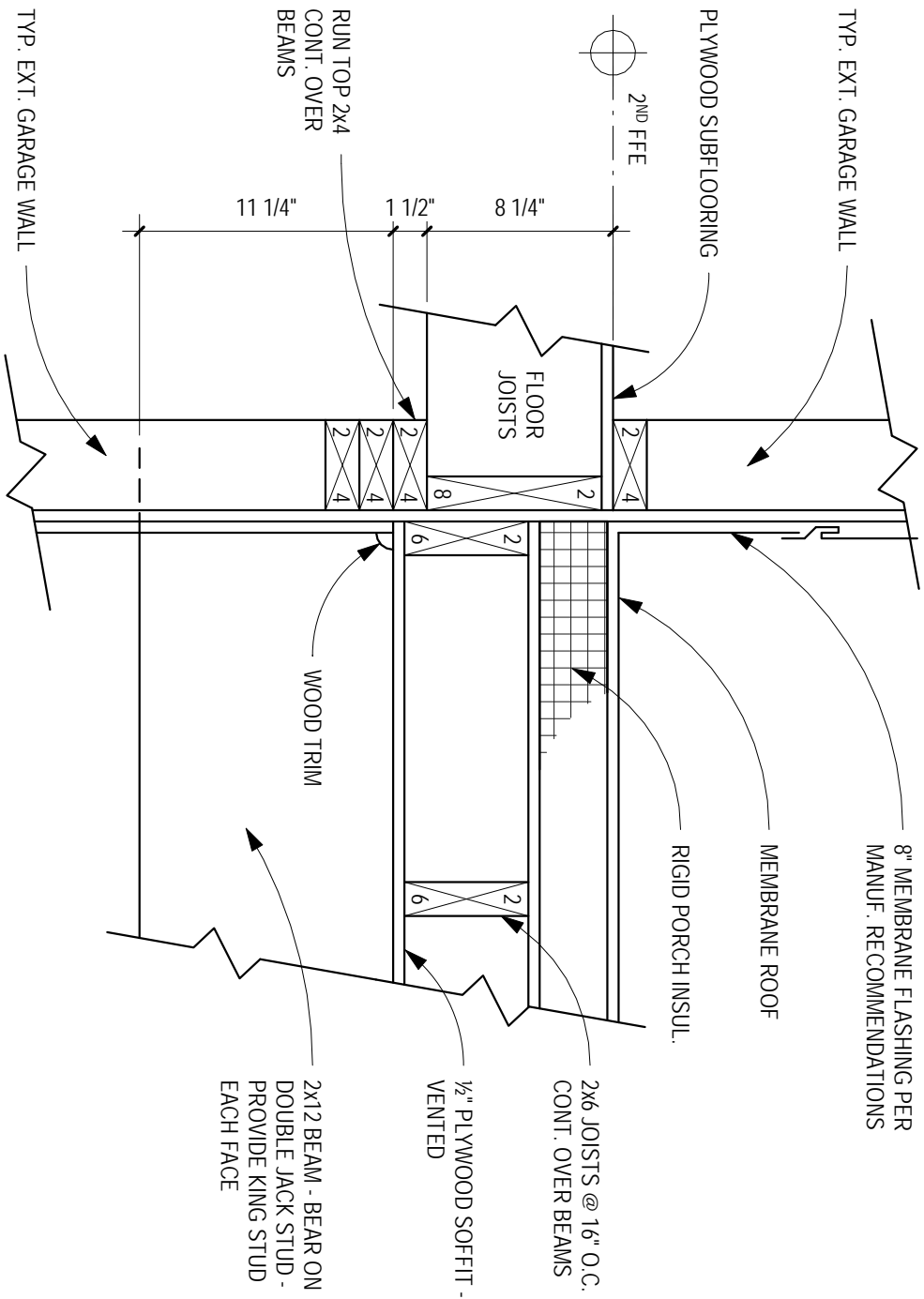
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TYP.
FOUNDATION
DETAIL

SCALE: 1 1/2" = 1'-0"

11

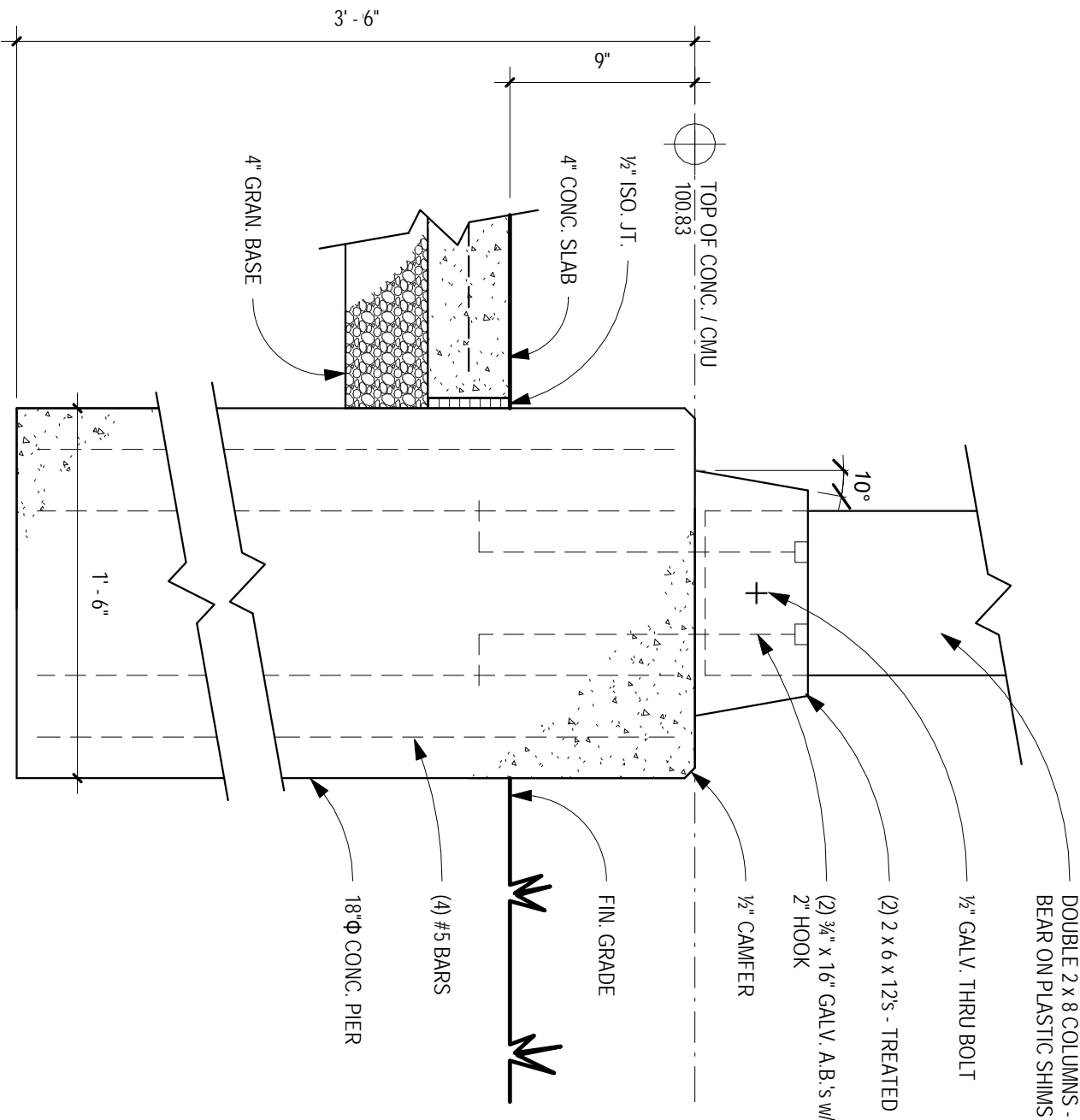
JOB NO.: -
DATE: 3-5-2021



TYP. PORCH ROOF
DETAIL @ GARAGE WALL

1

1 1/2" = 1'-0"



TYP. PORCH COLUMN
DETAIL

2

1 1/2" = 1'-0"

GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

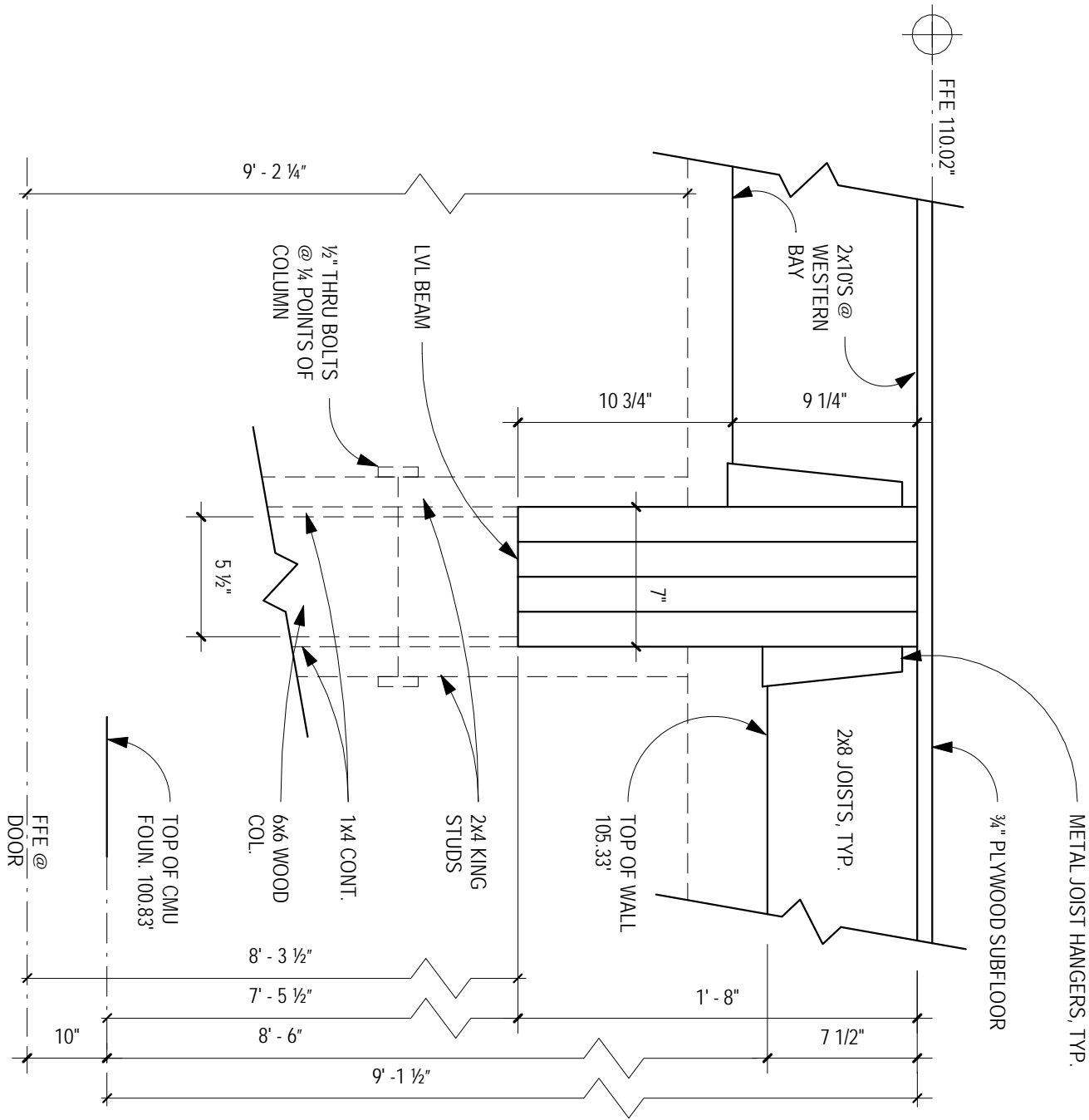
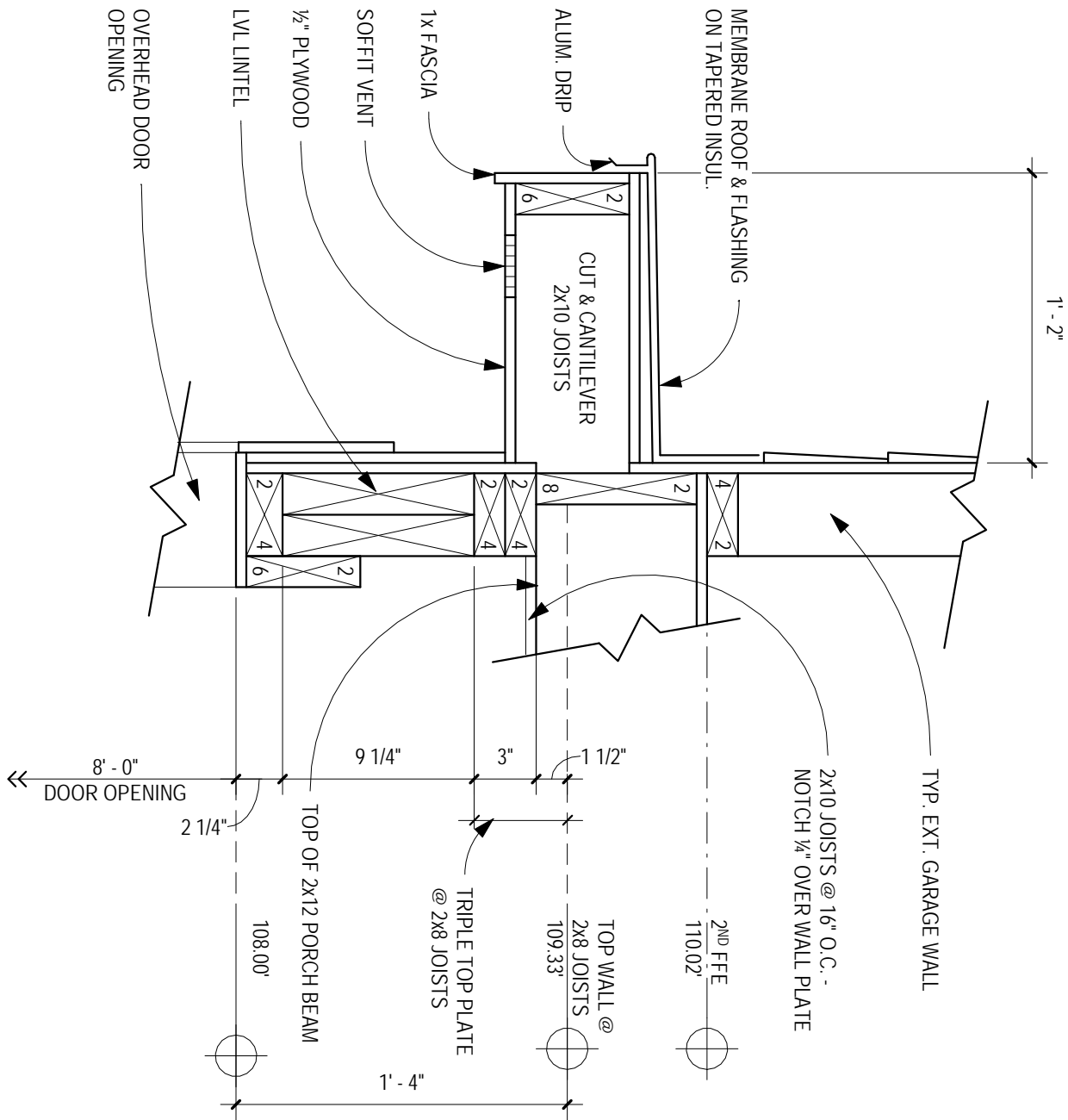
DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

PORCH
DETAILS

SCALE: 1 1/2" = 1'-0"

12

JOB NO.: -
DATE: 3-5-2021



WEST WALL DETAIL

1

1 1/2" = 1'-0"

TYP. LVL BEAM DETAIL

2

1 1/2" = 1'-0"

WALL &
BEAM
DETAILS

SCALE: 1 1/2" = 1'-0"

13

JOB NO.: -

DATE: 3-5-2021

GARAGE
TROY & EMILY GREEN RESIDENCE

4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221

DESIGNED BY: JB
DRAWN BY: EM
CHECKED BY: JB

GENERAL CONSTRUCTION NOTES

1. STRUCTURAL CONCRETE:

A. PORTLAND CEMENT: ASTM C150, TYPE III, GRAY

B. AGGREGATE: NORMAL WEIGHT, ASTM C33, CLASS 3M, 1-INCH NOMINAL MAX SIZE

2. CONCRETE FOOTINGS:

A. STRENGTH: 3,000-PSI

3. CONCRETE PIERS:

A. STRENGTH: 4,000-PSI

B. 4-6% AIR ENTRAINMENT

4. CONCRETE FLOOR SLABS:

A. GRANULAR BASE: ASTM D448, SIZE 57

B. VAPOR BARRIER: 6-MIL POLYETHYLENE, TURN EDGES UP AT PERIMETER

C. ISOLATION JOINTS: ½-INCH, ASPHALT SATURATED CELLULOSIC FIBER, FULL PERIMETER

D. CONCRETE STRENGTH: 4,000-PSI, 3/8-INCH MAX AGGREGATE SIZE

E. INTERIOR AIR ENTRAINMENT: 3% MAX

F. EXTERIOR AIR ENTRAINMENT: 4-6%

G. REINFORCING: 6X6 – W1.4 X W1.4 WWR, PLACED MID-DEPTH

H. CONTROL JOINTS: 12- FEET O.C. MAX, EACH WAY

I. INTERIOR FINISH: TROWEL

J. EXTERIOR FINISH: FINE BROOM

K. MEMBRANE FORMING CURING & SEALING COMPOUND: ASTM C1315, TYPE 1, CLASS A

5. CONCRETE MASONRY FOUNDATION WALLS:

A. ASTM C90, NORMAL WEIGHT, 2150-PSI STRENGTH

B. GROUTED SOLID

6. STRUCTURAL FLOOR CRITERIA:

A. 60-PSF LIVE LOAD

7. LUMBER:

A. SPRUCE-PINE-FIR

B. GRADE NO. 1 / 2 OR BETTER

C. BRIDGING: NOT LESS THAN (1) LINE FOR EACH 8- FEET OF SPAN FOR 2X10 JOISTS

8. LVL BEAMS:

A. REDBUILT REDLAM

B. Fb = 2,900 PSI

C. SET TOP FLUSH WITH TOP OF JOISTS

D. BEAR ON 6x6 WOOD POSTS + 2x4 KING STUDS

9. PRE-ENGINEERED ROOF TRUSSES:

A. BOTTOM CHORD: 10-PSF DEAD LOAD; 0-PSF LIVE LOAD; 0-PSF WIND LOAD

B. TOP CHORD: 10-PSF DEAD LOAD; 20-PSF LIVE LOAD; 20-PSF WIND LOAD (NET UPLIFT- ASD)

C. DESIGN FOR UNBALANCED AND DRIFTED SNOW IN ACCORDANCE WITH 2017 OBC

D. LOADS SHALL BE COMBINED USING LOAD COMBINATIONS IN ACCORDANCE WITH 2017 OBC

E. MAXIMUM DEFLECTION FOR TOTAL LOAD = SPAN/240 & FOR LIVE LOAD = SPAN/360

F. BRIDGING: PER TRUSS MANUFACTURER'S RECOMMENDATIONS

10. WINDOW & DOOR LINTELS:

A. 2 – 2X12'S

B. BEAR ON SINGLE JACK STUDS WITH SINGLE KING STUDS

11. OVERHEAD DOOR LINTELS:

C. 2 – 1 ¾" X 9 ¼" LVL BEAMS

D. REDBUILT REDLAM

E. Fb = 2,900 PSI

F. BEAR ON DOUBLE JACK STUDS WITH SINGLE KING STUDS

12. FRAMING ANCHORS:

A. SILL PLATES: ¾" X 12" ANCHOR BOLTS, 2" HOOK, AT 48" O.C. – MINIMUM 2WALL SEGMENT

B. POST CAPS: SIMPSON STRONG TIE LCE-4

C. FLOOR JOIST HANGERS AT LVL BEAMS: SIMPSON STRONG TIE LUS-28

D. FLOOR JOIST CANTILEVERS AT EXTERIOR WALLS: SIMPSON STRONG TIE H2.5A

E. PORCH ROOF JOISTS: SIMPSON STRONG TIE H2.5A EACH END

F. GABLED ROOF TRUSSES: SIMPSON STRONG TIE H2.5A EACH END

13. WALL SHEATHING:

A. 7/16" OR 15/32" OSB EXTERIOR SHEATHING

B. INSTALL 9-FOOT PANELS VERTICALLY WITH HORIZONTAL JOINT MID-HEIGHT OF FLOOR JOISTS

C. FASTEN WITH 8d OR 10d NAILS @ 6" c/c ALONG PANEL EDGES

D. FASTEN WITH 8d OR 10d NAILS @ 12" c/c INTERMEDIATE.

E. INTERIOR SHEATHING PERMITTED TO BE GYP BOARD OR SIMILAR PANELS.

14. FLOOR SUB-FLOORING:

A. 23/32" (3/4" NOMINAL) APA RATED TONGUE & GROOVE SHEATHING

B. PANEL INDEX 40/20

C. INTERIOR GRADE WITH EXTERIOR GLUE

D. EXPOSURE 1

E. GLUE & NAIL

F. INSTALL WITH 10d NAILS AT 6" c/c AT SUPPORTED PANEL EDGES

G. INSTALL WITH 10d NAILS AT 12" c/c AT INTERMEDIATE SUPPORTS

15. ROOF SHEATHING:

A. 9/32" (5/8" NOMINAL) APA RATED SHEATHING WITH EDGE CLIPS

B. PANEL INDEX 32/16

C. INTERIOR GRADE WITH EXTERIOR GLUE. EXPOSURE 1

D. INSTALL WITH 10d NAILS AT 6" c/c AT SUPPORTED PANEL EDGES

E. INSTALL WITH 10d NAILS AT 12" c/c AT INTERMEDIATE SUPPORTS
- Page 56 of 64
- GARAGE
TROY & EMILY GREEN RESIDENCE
- 4200 DUBLIN ROAD, LOT 6
COLUMBUS, OHIO 43221
- DESIGNED BY: JB
- DRAWN BY: EM
- CHECKED BY: JB
- GENERAL
CONSTRUCTION
NOTES
- SCALE:
- 14
- JOB NO.: -
- DATE: 3-5-2021

**Board of Zoning Appeals
Board Order
January 21, 2021 Meeting**

The Board of Zoning Appeals took the following action at this meeting:

CASE 2: 20-0160AR – Green residence – 4200 Dublin Road #6

PARCEL NUMBER: 050-006662

APPLICANT: Troy & Emily Green, 4200 Dublin Road, #6, Hilliard, Ohio 43026.

REQUEST: Review & approval of a variance from Hilliard Code Section 1121.02(b)(6) to permit an accessory building in excess of 14 feet in height and 1127.04(b)(1) to permit a gravel driveway for a new detached garage.

MOTION 1: President Piper made a motion on CASE 2: 20-0160AR – Green Residence – 4200 Dublin Road #6 for approval of a variance from Hilliard Code Section 1121.02(b)(6) to permit an accessory building in excess of 14 feet in height with the following 2 conditions:

- 1) That the proposed garage is limited to 18 feet in height, as proposed; and,
- 2) That all required permits are obtained prior to construction.

Mr. St. Clair seconded the motion.

VOTE:

Mr. Epling	Yes
Mr. Steele	Yes
Mr. St. Clair	Yes
President Piper	Yes
Mr. Donato	Yes
Mr. Stepp	Yes
Vice President Mulrane	Yes

STATUS: The motion passed 7-0 and CASE 2: 20-0160AR – Green Residence – 4200 Dublin Road #6 was approved for a variance from the Hilliard Code Section 1121.02(b)(6) to permit an accessory building in excess of 14 feet in height with the above 2 conditions.

MOTION 2: President Piper made a motion on CASE 2: 20-0160AR – Green Residence – 4200 Dublin Road #6 for approval of a variance from Hilliard Code Section 1127.04(b)(1) to permit a gravel driveway for a new detached garage.

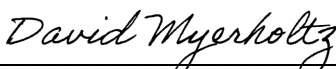
Mr. Epling seconded the motion.

VOTE:

Mr. Epling	Yes
Mr. Steele	Yes
Mr. St. Clair	Yes
President Piper	Yes
Mr. Donato	Yes
Mr. Stepp	Yes
Vice President Mulrane	Yes

STATUS: The motion passed 7-0 and CASE 2: 20-0160AR – Green Residence – 4200 Dublin Road #6 was approved for a variance from the Hilliard Code Section 1127.04(b)(1) to permit a gravel driveway for a new detached garage.

CERTIFICATION:



David Myerholtz, Acting Clerk
January 22, 2021

Any person aggrieved by the decision of the Board of Zoning Appeals may appeal that decision to a court of competent jurisdiction within thirty (30) days per Ohio Revised Code Section 2505.07.

CASE #4 BZA-21-32 – White Residence – 4140 Winterringer Street

PARCEL NUMBERS: 050-000358, 050-000411, 050-000366

APPLICANT: Beth and Michael White, 4140 Winterringer Street, Hilliard, OH 43026

REQUEST: Clarification of a previous variances granted from Hilliard Code Section 1109.03 to reduce the required side yard, required rear yard and required front yard in the R-2, Low/Medium Density Residential Zoning District.

BACKGROUND:

The site consists of three odd-shaped parcels totaling 0.34 acres located on the northeast side of Winterringer Street approximately 100 feet northwest of Grant Street. The property and surrounding parcels are zoned R-2, Low/Medium Density Residential, and the site contains a single-story residence with attached double garage. According to Franklin County Auditor records, the dwelling was originally built in 1953 and has a total finished area of 1,260-square-feet.

On October 14, 2021, The Planning and Zoning Commission approved a lot split application to adjust lot lines/modify plats to add a buildable lot to the North Grant Subdivision Plat and to remove a reserve area from the Avery Road Subdivision Plat. This reconfiguration created two buildable lots with a zero-lot line that would divide the existing garages through a common party wall.

On October 21, 2021, the Board of Zoning Appeals heard a request and granted variances to the R-2 standards for proposed lots that do not correspond with the Planning and Zoning Commission approval. At the time, a second lot configuration was under consideration that would create a second residence that would be separate from the existing home and include side yard setbacks between the lots. As approved, the granted variances conflict with the approved lot split and make the approval of a zoning certificate for the construction not possible.

This request is to reconsider the approved side yard variance to reduce required setbacks in the R-2, Low/Medium Density Residential Zoning District from 2 feet and 8 feet to zero feet for a zero-lot line development.

CONSIDERATIONS:

- *Existing Plats.* The site consists of three irregular-shaped parcels that total 0.34-acre. Each parcel is located within a different platted subdivision and are zoned R-2, Low/Medium Density Residential District:
 - 1) Parcel #050-000358 includes half of the existing home and lies within the Grant Wayne Co. Subdivision (Lot #193).
 - 2) Parcel #050-000411 includes half of the existing home and is located in the North Grant Addition Subdivision (Reserve A).
 - 3) Parcel #050-000366 is a triangular-shaped parcel located to the northwest in the Avery Road Subdivision (Reserve C).
- *Analysis of Parcels.* The existing home and garage have been built across parcel lines between Lot 193 and Reserve A. Neither reserve area is defined on the recorded plats as a buildable lot, nor are designated for required open space.
- *R-2 Zoning Requirements.* Required setbacks for the R-2 District include a minimum 25-foot front building setback, a minimum 10-foot side yard setback and a minimum 35-foot rear yard setback. The existing home does not meet the required front or rear setbacks.
- *P&Z Approval.* As approved by the Commission in 2021, two buildable parcels will be created within the North Grant Addition Subdivision. The proposed southeastern parcel

will be a reconfigured Lot 193 and will be approximately 0.15-acre and contain a portion of Reserve A. The proposed northwestern parcel will be approximately 0.19-acre and include portions of Reserve A, Lot 193 and all of Reserve C. The parcel line approved by the Commission divides the existing multi-car garage through a common wall so that both parcels will have a dwelling with a garage. As a result, Reserve C would be removed from the Avery Road Subdivision.

- *BZA Approval.* As approved by the BZA in 2021, two buildable parcels would be created within the North Grant Addition Subdivision. The proposed southeastern parcel will be approximately 0.2-acre and contain Lot 193, a majority of Reserve A and the corner of Reserve C. The proposed northwestern parcel will be approximately 0.14-acre and combine the remaining portions of Reserve A and Reserve C. The parcel line approved by the BZA maintains the existing home and garages on Lot 193 and establishes side yard setbacks with the new parcel. A small, detached home would be constructed that would be unable to accommodate a garage in the new odd-shaped parcel.



Lot layout based upon variances as approved by the Board of Zoning Appeals (2021)



Lot Split/Reconfiguration as approved by the Planning & Zoning Commission (2021)

- *Reconsideration.* This request to the Board of Zoning Appeals is to adjust previously approved variances that would support the lot reconfiguration as approved by the Planning and Zoning Commission so both lots include sufficient buildable area.
- *Lot 193 (with existing home).* Proposed setbacks for the existing house/lot at 4140 Winterringer will be as follows:
 - 1) Front setback: as currently constructed
 - 2) Side setback (northwest): 0 feet with location between garages (the BZA previously approved an 8-foot side yard setback).
 - 3) Side setback (southeast): 5 feet as approved by the BZA on October 21, 2021
 - 4) Rear setback: 7 feet as approved by the BZA
- *Proposed Lot (to include existing garage).* Proposed setbacks for the proposed new home/lot that will include an existing garage:
 - 1) Front setback: 20 feet as approved by the BZA on October 21, 2021
 - 2) Side setback (northwest): 5 feet as approved by the BZA on October 21, 2021
 - 3) Side setback (southeast): 0 feet with location between garages (the BZA previously approved a 2-foot side yard setback).
 - 4) Rear setback: 7 feet as approved by the BZA on October 21, 2021



Setbacks based upon variances as approved by the Board of Zoning Appeals (2021)

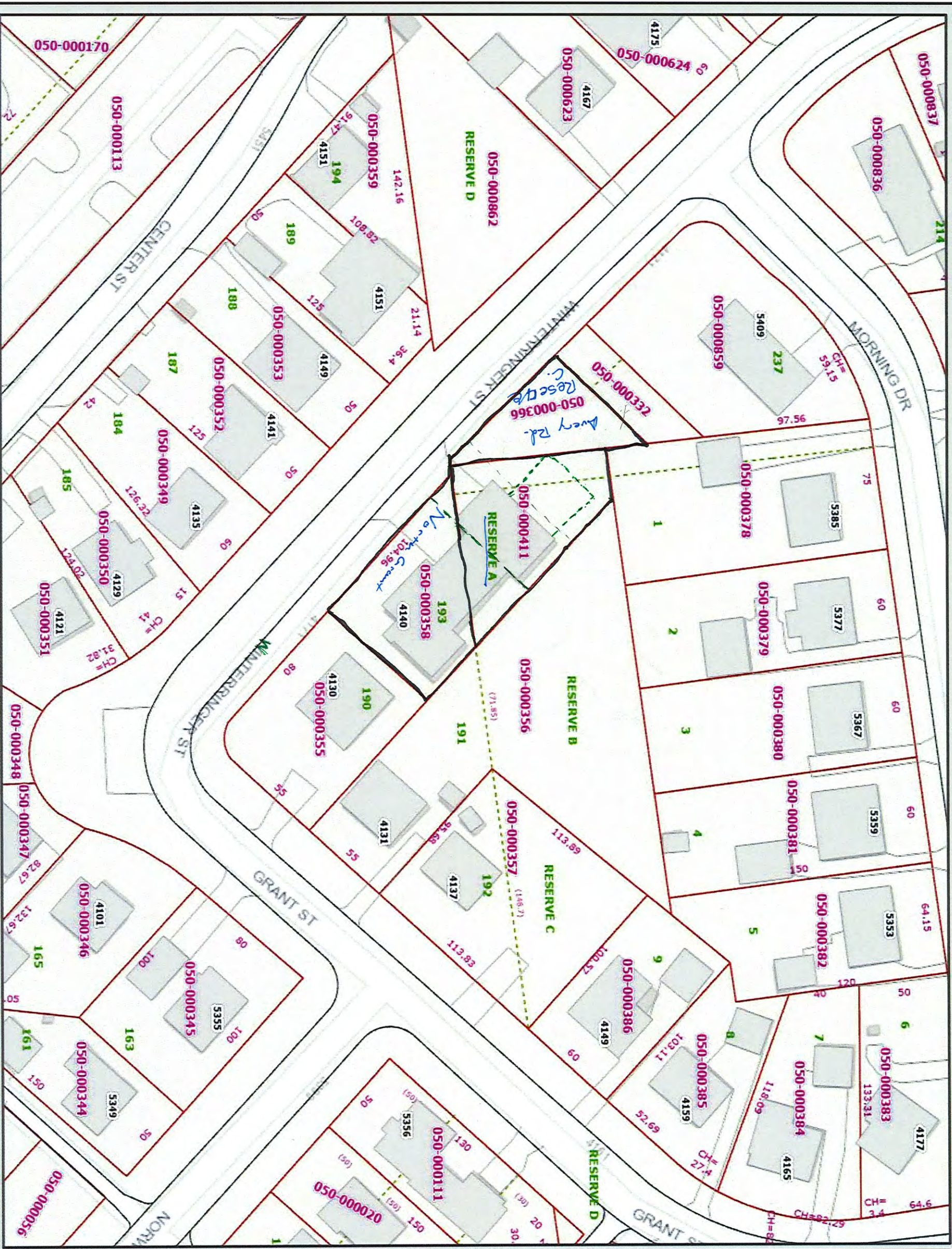


Proposed setbacks for zero-lot line development utilizing garage (consistent with P&Z approval in 2021).

STAFF RECOMMENDATION:

Staff finds that there are many unique circumstances on the site that make it a practical difficulty to develop the property reasonably without variances. Staff finds that the platted lot lines also make typical usage of the site particularly complicated. The proposal is consistent with the adjacent properties and the surrounding neighborhood and is generally consistent with the intent of the Zoning Code. Based on these findings, staff recommends approval of the proposed variance with the following seven conditions:

- 1) That the minimum required rear yard setback for both parcels be seven (7) feet;
- 2) That there be a minimum required side setback of 0 feet between the two parcels;
- 3) That the minimum required side yard setback from the northwestern most property line be 5 feet;
- 4) That the required front yard on the northwestern proposed parcel be 20 feet;
- 5) That legal descriptions and exhibits for both resulting parcels are approved by the City Engineer, recorded and provided to staff prior to the issuance of a zoning certificate;
- 6) That proposed plans/construction adhere to all applicable Building Code provisions with respect to the common firewall between the garages; and
- 7) That a zoning certificate and all required permits be obtained prior to construction;



Planimetric Legend

Source: 2018 Aerial Photography

- Edge of Pavement
- Roadway Centerlines
- Railroad Centerlines
- Building Footprints
- Building Under Construction
- Creeks, Streams, Ditches
- Rivers & Ponds

Topographic Legend

Source: OSIP - 2011 LIDAR Collection

- Spot Elevation
- Index Contour
- Intermediate Contour

Appraisal Legend

Source: Franklin County Auditor & Engineer

- Parcel IDs
- Parcel Dimensions
- Lot Numbers
- Site Address
- Parcel Boundary
- Subdivision Boundary
- Condominium Boundary
- County Boundary
- City or Village Boundary
- Tax District Boundary
- School District Boundary
- Zip Code Boundary

This map is prepared for the real property inventory within the county. It is compiled from record deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be considered for verification of the information contained on this map. The county and the mapping companies assume no legal responsibility for the information contained on this map. Please notify the Franklin County Auditor's GIS Department of any discrepancies.

The data on this map was originally compiled at 1"=100' based on the Ohio State Plane South Coordinate System, North American Datum 1983 with 2' contours based on the North American Vertical Datum 1988 (when displayed).



Franklin County
Auditor's Office
Auditor

Michael Stinziano
Map Produced September 7, 2021



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**Board of Zoning Appeals
Board Order
October 21, 2021 Meeting**

The Board of Zoning Appeals took the following action at this meeting:

CASE 4: BZA-21-32 – White Residence – 4140 Winterringer Street

PARCEL NUMBERS: 050-000358, 050-000411, 050-000366

APPLICANT: Beth and Michael White, 4140 Winterringer Street, Hilliard, OH 43026

REQUEST: Review and approval of a variance from Hilliard Code Section 1109.03 to reduce the required side yard, required rear yard, and required front yard in the R-2, Low/Medium Density Residential zoning district.

MOTION: Mr. Stepp made a motion to approve CASE 4: BZA-21-32 – White Residence – 4140 Winterringer Street for a variance from Hilliard Code Section 1109.03 to reduce the required side yard, required rear yard, and required front yard in the R-2, Low/Medium Density Residential zoning district with the following 6 conditions:

- 1) That the minimum required rear yard setback for both proposed parcels be 7 feet;
- 2) That there be a minimum required side setback of 2 feet for Lot 193 from the new lot line which divides the two proposed parcels;
- 3) That there be a minimum required side setback of 8 feet for the new buildable lot from the new lot line which divides the two proposed parcels;
- 4) That the minimum required side yard setback from the northwesternmost property line be 5 feet;
- 5) That the required front yard on the northwestern proposed parcel be 20 feet; and,
- 6) That all conditions of Planning and Zoning Commission approval on October 14, 2021 are met prior to construction.

Mr. Donato seconded the motion.

VOTE:

Mr. Epling	Yes
Mr. Steele	Yes
Mr. St. Clair	Excused
President Piper	Yes
Mr. Donato	Yes
Mr. Stepp	Yes
Vice President Mulrane	Excused

STATUS: The motion passed 5-0. Case BZA-21-32 was approved with the above conditions.

CERTIFICATION:

John Talentino, Acting Clerk

October 22, 2021



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**Planning and Zoning Commission
Record of Action
October 14, 2021 Meeting**

The Planning and Zoning Commission took the following action at this meeting:

CASE 6: PZ-21-44 – White Residence – 4140 Winterringer Street

PARCEL NUMBERS: 050-000358, 050-000411, 050-000366

APPLICANT: Beth and Michael White, 4140 Winterringer Street, Hilliard, OH 43026

REQUEST: Review and Approval of a Final Plat Modification to add a buildable lot to the North Grant Subdivision, and a Lot Split under the provisions of Hilliard Code Section 1107.02.

MOTION: A Motion was made by Ms. Nixon on Case #6: PZ-21-44 – White Residence – 4140 Winterringer Street – for approval of a Final Plat Modification to add a buildable lot to the North Grant Subdivision, and a Lot Split under the provisions of Hilliard Code Section 1107.02 with the following 4 conditions:

- 1) That the legal descriptions and exhibits for both resulting parcels are provided subject to the approval of the City Engineer;
- 2) That evidence of recordation of the lot split and lot combination are provided to staff;
- 3) That all required variances are obtained from the Board of Zoning Appeals prior to construction; and,
- 4) That all required permits are obtained prior to construction.

Mr. Pannett seconded the motion.

VOTE:

Mr. Schneck	Yes
Ms. Nixon	Yes
Chairman Lewie	Yes
Mr. Muether	Excused
Mr. Uttley	Yes
Mr. Gutknecht	Excused
Mr. Pannett	Yes

STATUS: The motion passed 5-0 and Case #6: PZ-21-44 – White Residence – 4140 Winterringer Street was approved for a Final Plat Modification to add a buildable lot to the North Grant Subdivision, and a Lot Split under the provisions of Hilliard Code Section 1107.02 with the above conditions.

CERTIFICATION:

David Myerholtz, Acting Clerk
October 15, 2021