

MEETING MINUTES



Board of Zoning Appeals

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, November 17, 2022 | 7:00 pm

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

President Piper led the Board and attendees in the Pledge of Allegiance.

ROLL CALL

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

Staff Members Present: Planning Director John Talentino; Planning Manager Carson Combs; Administrative Assistant/Acting Clerk Nicole Starrett.

Others Present: Assad Quathifachi applicant for BZA-22-34 and one other member of the public was present.

APPROVAL OF MEETING MINUTES – September 15, 2022

Mr. Greg St. Clair made a motion to approve the September 15, 2022, meeting minutes. The motion was seconded by President Matthew Piper.

Status:	Approved (7-0) by Voice Vote
Ayes:	

CHANGES TO THE AGENDA (requests for postponements, withdrawals, or change in order of cases)

Mr. Combs confirmed there were no changes to the agenda.

OATH TO TELL THE TRUTH

President Piper administered the Oath to Tell the Truth.

CHANGES TO THE AGENDA

There were no additions or corrections to the agenda.

NEW CASES:

CASE 1: BZA-22-34 – QUATHIFACHI / KROUROU RESIDENCE – 5217 SCIOTO DARBY ROAD

PARCEL NUMBER: 050-000893 (Mary K. Conklin Subdivision – Lot #20)

APPLICANT: Bouchra Krourou and Assad Qathifachi, 5217 Scioto Darby Road, Hilliard, OH 43026.

REQUEST: Review and approval of a variance to Hilliard Code Section 1109.03 to reduce the required rear yard from 35 feet to 9 feet for a 272-square-foot addition to an existing single-family home.

[Mr. Combs provided the staff report.]

BACKGROUND:

The site includes 0.157-acre located on the south side of Scioto Darby Road, approximately 100 feet northwest of Conklin Drive. The parcel is Lot #20 within the Mary K. Conklin Subdivision and is zoned R-2, Low/Medium Residential District. The subdivision was recorded in 1984 and includes lots that are generally 63' x 135' in size. Properties surrounding the site are zoned R-2 as part of the Conklin Subdivision, and residences on the north side of Scioto Darby Road are also residences zoned R-2 as part of the Luxair Addition subdivision. The property is adjacent to Reserve A, which is owned by the City of Hilliard and is the former location of a sanitary lift station. Application of the R-2 zoning classification has resulted in the need for many variances in the city's older neighborhoods to permit additions and other improvements. This is a request for variances to permit the construction of a 272-square foot home addition.

CONSIDERATIONS:

- The applicant is proposing to install a 272-square-foot addition to the rear of the 1,650-square-foot ranch-style home (total 1,922 square feet). Analysis of the property to applied zoning standards includes the following:

	R-2 Requirement	Existing Lot
Minimum Lot Size	11,200 sf	6970 sf
Minimum Lot Width	80 feet	73 feet

- The proposed addition would be centrally located off the rear of the home. The addition would comply with the required side yard setback of 10 feet. This lot within the subdivision has a more compact size and shape because of (1) the curvature of Conklin Drive and (2) the flag shape of Reserve A, which was included in the subdivision because of the location of a pump station for the sanitary main. As a result, the rear yard has much less depth and converges to a point. The proposed addition would be located 9 feet from the rear property line, which has a required setback of 35 feet. Based on the R-2 standards, the required rear setback extends to the midpoint of the side elevation facing Reserve A and almost to the front elevation of the side facing toward Conklin Drive.
- Maximum lot coverage for homes in the R-2 District are limited to a 30 percent for structures. Given the much smaller size of the lot, the proposed improvements still result in only a 27.6% percent lot coverage which is still under the R-2 maximum.
- As part of this application, staff determined that the property owner had installed a concrete driveway addition and placed an accessory structure within Reserve A. The City is working with the property owner to address the Code issues and the property owner has been cooperating.
- The original pump station and forced main within Reserve A was taken out of service long ago and replaced with gravity flow with the completion of the Luxair development on the other side of Scioto Darby Road. Given those changes, the reserve is not necessary, and the City is in the initial process to transfer the property while maintaining a utility easement to access the sanitary line and manholes. Expected in 2023, that transfer would significantly increase the backyard space of this site and add an additional 0.05-acre to the property.

STAFF RECOMMENDATION:

Staff finds that the proposed variance is generally consistent with the spirit and intent of the Zoning Code. As proposed, improvements to the residence will not adversely affect the character of the surrounding neighborhood, nor be a detriment to surrounding neighbors. Staff finds the proposed variances will not affect public services and alternative options have been evaluated. While the applicant could utilize the property without the addition, the proposed improvements should be highly encouraged in the City’s older neighborhoods where investment is necessary to maintain quality for all residents. The R-2 District standards as applied to such older neighborhoods is not appropriate to the size and scale of lots and should be considered for revision as part of Zoning Code updates following the completion of the current Comprehensive Plan process. Staff, therefore, recommends that the proposed rear setback variance be approved with two conditions:

- 1) That a zoning certificate be obtained for the addition prior to the issuance of building permits; and
- 2) That all applicable building permits be obtained prior to construction.

[END OF REPORT | BZA-22-34]

Mr. Stepp inquired if any concerns were raised by nearby property owners. Mr. Combs clarified that notices were sent, and no comment had been received.

Mr. St. Clair inquired about the pump station on the adjacent reserve. Mr. Combs said that the original pump station was located at the current location of the shed and was taken out of commission when the adjacent subdivision was built and the line was converted to gravity flow. He noted that only an easement was necessary and staff was in the approval process to transfer the reserve, which would provide a larger backyard.

Mr. Martin inquired about the location of the addition. The applicant, Assad Quathifachi confirmed that the addition will be built in the location of the existing deck and that all new foundation will be provided.

With no comment from the public, Mr. Steele made a motion (seconded by President Piper) to approve a variance to Hilliard Code Section 1109.03 to reduce the required rear yard from 35 feet to 9 feet for a 272-square-foot addition to an existing single-family home with two conditions:

- 1) That a zoning certificate be obtained for the addition prior to the issuance of building permits; and
- 2) That all applicable building permits be obtained prior to construction.

Status:	Approved (7-0).
Mover:	Mr. Arthur Steele
Second:	President Matthew Piper
Ayes:	President Matthew Piper, Vice President Aaron Epling, Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato, and Mr. Arthur Steele.

PRESIDENT’S COMMUNICATION

There were no topics for discussion. Mr. Combs noted that there would be at least one case next month.

ADJOURNMENT – 7:09 PM

CERTIFICATION:



Carson Combs, Planning Manager
December 16, 2022

[END OF MINUTES | November 17, 2022]