

MEETING AGENDA



Board of Zoning Appeals

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

Thursday, January 19, 2023 | 7:00 pm

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Approval of the Meeting Minutes – December 15, 2022**
5. **Oath to Tell the Truth**
6. **Changes to the Agenda** (requests for postponements, withdrawals, or change in order of cases)
7. **Postponed Cases:**

CASE 1: BZA-22-39 – PETTIBONE RESIDENCE – 2893 HILLIARD ROME ROAD

PARCEL NUMBER: 050-002927

APPLICANT: Jason Pettibone, 2893 Hilliard Rome Road, Hilliard, OH 43026

REQUEST: Review and approval of variance to Hilliard Code Section 1121.02(b)(6) to increase the maximum permitted height from 14 feet to 16.5 feet and to Section 1121.02(b)(7) to increase the maximum permitted size from 900 square feet to 1,568 square feet for an accessory structure expansion.

CASE 2: BZA-22-40 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD

PARCEL NUMBER: 050-002824

APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.

REQUEST: Review and approval of a variances to Hilliard Code Section 1127.04 to approve a comprehensive site parking plan for a two-story, 3,240-square-foot building addition on 0.44-acre.

8. **Communications**
9. **Adjournment**

[END OF AGENDA | JANUARY 19, 2023]

MEETING MINUTES



Board of Zoning Appeals

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

Thursday, December 15, 2022 | 7:00 pm

CALL TO ORDER

Mr. St. Clair called the Regular Meeting of Board of Zoning Appeals to order at 7:00 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. St. Clair led the Board and attendees in the Pledge of Allegiance.

ROLL CALL

Attendee Name:	Title:	Status:
President Matthew Piper	President	Excused
Vice President Aaron Epling	Vice President	Excused
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; Council Member Peggy Hale.

Others Present: Hayden and Chelsea Kimes applicant for BZA-22-37 and Joel and Bob Seghi applicant for BZA-22-38.

APPROVAL OF MEETING MINUTES – November 17, 2022

Mr. Martin made a motion to approve the November 17, 2022, meeting minutes. The motion was seconded by Mr. Donato.

Status:	Approved (5-0) by Voice Vote
Ayes:	

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

Mr. Combs confirmed that the applicant for Case #4 BZA-22-40 – Colorado Mountain Sports – 4445 Cemetery Road had requested a postponement of that case and requested that it be heard at the January 2023 meeting.

At the request of the applicant, Mr. St. Clair made a motion to postpone *BZA-22-40 – Colorado Mountain Sports – 4445 Cemetery Road* to the January 19, 2023, meeting. Mr. Stepp seconded the motion.

Status:	Postponed to the regular meeting on January 19, 2023 (5-0).
Mover:	Mr. Greg St. Clair
Second:	Mr. Bobby Stepp
Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato and Mr. Arthur Steele.

OATH TO TELL THE TRUTH

Mr. St. Clair administered the Oath to Tell the Truth.

NEW CASES:

CASE 1: BZA-22-37 – KIMES RESIDENCE – 5190 NORWICH STREET

PARCEL NUMBERS: 050-000321 & 050-000293

APPLICANT: Hayden & Chelsea Kimes, 5190 Norwich Street, Hilliard, OH 43026.

REQUEST: Review & approval of a variance to Hilliard Code Section 1115.03 to reduce the required side yard from 5.0 feet to 3.5 feet for a 3,970-square-foot building and attached garage addition.

[Mr. Combs provided the staff report]

BACKGROUND:

The site consists of two parcels totaling 0.54 acre located on the northeast side of Norwich Street approximately 200 feet southeast of Hamilton Road. The Franklin County Auditor records indicate the 2,210-square-foot house was constructed in 1900. The site also includes a ±980-square-foot detached garage. On December 8, 2022, the Planning and Zoning Commission granted approval of an Old Hilliard District Plan for the proposed demolition of the detached garage and home addition. The applicant is now requesting approval of a side yard variance that would allow the project to move forward to building permits.

CONSIDERATIONS:

- *Comprehensive Plan.* The site is zoned OH-RD, Old Hilliard Residential District. Single-family residence is a permitted use in this zoning district. The Hilliard Comprehensive Plan recommends the site for medium-density residential housing. New infill development should follow the residential and architectural pattern that exists. Parking should be located as to not dominate the front of the structure and side-loaded or detached garages are preferred. Front porches and patios are strongly encouraged in this area. The proposed modifications adhere to these general recommendations.
- *Design Requirements.* According to Hilliard Code Section 1115.05, the architectural design of buildings must create and enhance the community image. Variations in façade elements shall be incorporated into all sides of the principal building to minimize the perceived mass and scale. The width of a principal building façade along a public street shall be a minimum of 60 percent of the lot width. Colors shall be neutral and natural tones with low reflectivity. Accent and trim colors must complement the effect of the primary building color. Bold, brash, intense, bright, fluorescent, black or metallic accent colors are prohibited, unless approved by the Planning and Zoning Commission for very limited application. All exterior colors should be subdued, with strong colors such as reds, blues, and golds, etc., should only be applied to trim and accent being avoided. Roof colors shall be muted and compatible with the dominant building color. Sloped roofs shall be a minimum 6/12 pitch and a maximum 12/12 pitch. **The Planning and Zoning Commission as part of its review found the proposed architecture to be an appropriate design.**
- *Zoning Standards.* The proposal includes the demolition of the rear half of the existing house and the existing detached garage. The proposed addition consists of a new wrap-around front porch, new first and second floors at the rear of the house and a 3-car garage on the southeast side of the house. The following table compares the proposal with applicable zoning standards. It should be noted that the existing home is set back 25.5 feet from the right-of-way and the upgraded porch will maintain the existing setback with steps oriented toward the street. The new garage will also be set back approximately 58 feet from the Norwich Street right-of-way line so as to not dominate the front of the

house consistent with the recommendations in the Comprehensive Plan. **The applicant is seeking a variance to reduce the required side yard from 5 feet to 3.5 feet for the proposed garage addition.** The attached garage would replace the existing accessory structure which is located on the property line (0-foot setback).

Zoning Standard	OH-RD District	Site
Front	0 to 25 feet	25.5 feet
Side (total side)	5 feet (12 feet)	26.8 feet (north) 0 feet (south current) 3.5 feet (south proposed)
Rear	25 feet	158 feet
Building Height	35 feet	±21 feet (est)
Min Building Size	1,300 sf	2,989 sf + existing home

- Design Details.** The proposed two-story building addition includes 1,163 square feet on the first floor, 1,826 square feet on the second floor, and, on the southeast side of the house, a 981-square-foot attached garage and a new chimney. A new front porch is proposed along the entire front of the house and along a portion of the northwest side and will feature a standing seam metal roof. Exterior materials for the proposed addition include horizontal composite board siding (*Hardie Plank* 8-inch exposure – *Sherwin Williams* SW 7008 “Alabaster”) in combination with composite board shingle siding (*Hardie Shingle Siding* SW 7008 “Alabaster”), standing seam metal roofing (Galvanized color) on the front porch and a portion of the rear elevation, and asphalt shingles (*Certainteed* Landmark Pro “Moire Black”). The chimney is shown with cultured stone (*Dutch Quality* “Kentucky Limestone” or “Tuscan Ridge”). The proposed roof pitch is 10/12, except on the front porch which ranges from 3/12 to 4.5/12. Proposed windows are white double-hung 2-over-2 panels consistent with those on the existing dwelling. The front door and side porch door are red (*Sherwin Williams* SW 7587 “Antique Red”), and all other exterior doors including the garage door are white (*Sherwin Williams* SW 7008 “Alabaster”). Shutters are blue (*Sherwin Williams* SW 6244 “Naval Blue”) and gutters and downspouts are white. Exterior trim and soffits will match the siding color. **The Planning and Zoning Commission approved materials and colors as part of its review on December 8, 2022.**

STAFF RECOMMENDATION:

Staff finds that the proposed variance request is generally consistent with the spirit and intent of the Zoning Code and furthers the goals of the Hilliard Comprehensive Plan. 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 will be architecturally compatible with the surrounding area and be an improvement to the general area. Based on these findings, staff recommends that the proposed setback variance be granted with three conditions:

- 1) That the garage is located not less than 50 feet from the Norwich Street right-of-way line;
- 2) That exterior materials and colors be used as proposed; and
- 3) That a building permit be obtained prior to construction.

[END OF REPORT | BZA-22-37]

There were no questions for staff.

Mr. Kimes introduced himself and explained that the reason for the variance was to squeeze in a mudroom and three car garage. He indicated that the improvements would increase the current setback and they have

worked to make sure that the view from the neighbor’s kitchen window was preserved. He agreed with the conditions, and Mr. Combs verified that staff had not received any public input.

With no additional comment, Mr. Donato (seconded by Mr. Stepp) made a motion to approve the variance to Hilliard Code Section 1115.03 to reduce the required side yard from 5.0 feet to 3.5 feet for a 3,970-square-foot building and attached garage addition with three conditions:

- 1) That the garage is located not less than 50 feet from the Norwich Street right-of-way line;
- 2) That exterior materials and colors be used as proposed; and
- 3) That a building permit be obtained prior to construction.

Status:	Case BZA-22-37 was approved (5-0) with three conditions.
Mover:	Mr. Steve Donato
Seconded:	Mr. Bobby Stepp
Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato and Mr. Arthur Steele.

CASE 2: BZA-22-38 – SEGHI RESIDENCE – 4340 ALDER DRIVE
PARCEL NUMBER: 050-000760 (Avery Road Subdivision, Lot 138)
APPLICANT: Joel Seghi, 4340 Alder Drive, Hilliard, OH 43026
REQUEST: Review and approval of variances to Hilliard Code Section 1109.03 to reduce the required front setback for an attached garage from 35 feet to ±21 feet and to reduce the required rear yard from 35 feet to 9 feet for a 648-square-foot building and attached garage addition.

[Mr. Combs provided the staff report]

BACKGROUND:

The site includes 0.225-acre located at the northeast corner of Alder Drive and Kerr Drive. The parcel is Lot #138 within the Avery Road Subdivision and is zoned R-2, Low/Medium Residential District. The subdivision plat was signed in 1955 and includes lots that are generally 60’ x 120’ in size. Properties surrounding the site are zoned R-2 as part of the same subdivision. The lot in question has more of a wedge shape with a front building line on two sides. Application of the R-2 zoning classification has resulted in the need for many variances in many of the city’s older neighborhoods to permit additions and other improvements. This is a request for variances to construct a 648-square foot home addition that will include a laundry, bathroom, storage area and attached garage.

CONSIDERATIONS:

- *Proposal.* The applicant is proposing to construct a 648-square-foot addition on the side of an 1,150-square foot post-war ranch. The site currently includes a small ±160-square foot utility shed and a narrow, one-car paved driveway approximately seven feet in width, just wide enough to park a vehicle.
- *Zoning Standards.* This lot includes two street frontages and based on the orientation of the home has a very narrow lot depth. Analysis of the proposed addition as applied to zoning standards includes the following:

	R-2 Code	Site w. Addition
Minimum Lot Size	11,200 sf	9,825sf
Minimum Front Setback	25 ft (35 ft for garages)	21 feet
Minimum Side Setback	10 feet (20 total)	24 feet

Minimum Rear Setback	35 feet	9 feet
Maximum Lot Coverage	30%	18.3%
Minimum Floor Area	1,300 sf	1,150 sf

- **Building Addition.** The proposed addition is 24 feet in width and includes a depth of 28 feet. The garage and related room additions will extend the east end of the home in the current location of the asphalt driveway.
- **Front Setback.** R-2 standards require a front setback of 25 feet for the home and 35 feet for garages. The subdivision further has a platted building line of 25 feet from which a variance cannot be granted by the Board. **Staff recommends that the footprint be adjusted to meet the platting building line and that the variance request for the front setback be amended from 21 feet to 25 feet.**
- **Rear Setback.** R-2 standards require a rear setback of 35 feet. This setback requirement when combined with the front setback and platted building lines renders the lot virtually undevelopable. **Based on adjustments to the footprint to accommodate the front building line, staff recommends that the variance request for the rear setback also be adjusted from 9 feet to a minimum of 5 feet.**
- **Lot Coverage.** Maximum lot coverage for homes in the R-2 District are limited to a 30 percent for structures. Given the linear nature of the lot, the proposed improvements still result in only a 18.3% percent lot coverage which is significantly under the R-2 maximum.

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. Staff, therefore, recommends that the proposed setback variances be approved with four conditions:

- 1) That the footprint of the proposed addition be modified to comply with the platted 25-foot building line;
- 2) That the resulting change in footprint modify the rear setback variance from 35 feet to **5 feet** and the front setback variance from 35 feet to **25 feet**;
- 3) That a zoning certificate be obtained for the addition prior to the issuance of building permits; and
- 4) That all applicable building permits be obtained prior to construction.

[END OF REPORT | BZA-22-38]

Mr. Stepp inquired whether the storage shed would be removed as part of the request. Mr. Joel Seghi, the property owner, noted that the shed would be removed due to additional storage provided by the addition.

Mr. Steele inquired if the applicant agreed with the conditions; Mr. Bob Seghi noted that the report wanted the addition closer to the rear of the property than proposed, but they agreed that the floorplan could be adjusted.

With no additional comment, Mr. Stepp (seconded by Mr. Martin) made a motion to approve variances to Hilliard Code Section 1109.03 to reduce the required front setback for an attached garage from 35 feet to ±21 feet and to reduce the required rear yard from 35 feet to 9 feet for a 648-square-foot building and attached garage addition with the following four conditions:

- 1) That the footprint of the proposed addition be modified to comply with the platted 25-foot building line;

- 2) That the resulting change in footprint modify the rear setback variance from 35 feet to **5 feet** and the front setback variance from 35 feet to **25 feet**;
- 3) That a zoning certificate be obtained for the addition prior to the issuance of building permits; and
- 4) That all applicable building permits be obtained prior to construction.

Status:	Case BZA-22-38 was approved (5-0) with four conditions.
Mover:	Mr. Bobby Stepp
Seconders:	Mr. James Martin
Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato and Mr. Arthur Steele.

CASE 3: BZA-22-39 – PETTIBONE RESIDENCE – 2893 HILLIARD ROME ROAD

PARCEL NUMBER: 050-002927; 050-002028

APPLICANT: Jason Pettibone, 2893 Hilliard Rome Road, Hilliard, OH 43026

REQUEST: Review and approval of variance to Hilliard Code Section 1121.02(b)(6) to increase the height of an existing accessory structure from 14 feet to 16.5 feet.

[Mr. Combs provided the staff report]

BACKGROUND:

The site includes two parcels totaling 0.76-acre along the west side of Rome Hilliard Road, 200 feet south of Richlanne Drive and 150 feet north of Sutter Home Road. The property is zoned R-3, Moderate Density Residential District. Residential properties to the west and south are also zoned R-3 as part of Section 2 within the Sutton Place subdivision. Wayac Scales and Calibration is located to the north and is also zoned R-3. Across Hilliard Rome Road are residential properties that are zoned R-1, Low Density Residential District as part of the Richlanne Acres subdivision, as well as other properties zoned PUD, Planned Unit Development District as part of the *Hilliard Rome MOB & Office* PUD Concept Plan and Text (Ordinance 20-23). Uses across the street within the PUD include a residence and Professional Pediatrics.

This is a request to increase the height of an accessory structure (garage) to exceed the 14-foot maximum established in the accessory structure provisions of the Code.

CONSIDERATIONS:

- *Proposal.* The applicant is proposing to increase the height of an existing ±850-square-foot detached accessory garage located behind the primary structure. Section 1121.02(b)(6) of the Zoning Code limits the height of accessory structures to 14 feet. The proposed height expansion would result in a building height of 16.5 feet as measured by Code (to the mid-point of a gabled/pitched roof). No detailed information has been provided as to the purpose of the increased height.
- *Zoning Standards.* The property includes two parcels and is zoned R-3 and includes the following standards. The proposed improvements do not impact applicable zoning standards.

	R-3 Code	Site
Minimum Lot Size	11,200 sf	33,105 sf
Minimum Front Setback	30 feet	±20 feet (existing)
Minimum Side Setback	10 feet (20 total)	±40 feet (±80 total)
Minimum Rear Setback	30 feet	±150 feet

Maximum Lot Coverage	35%	±7.5%
Minimum Floor Area	1,200 sf	±1,610 sf

- **Accessory Structures.** The Zoning Code requires a minimum rear setback of 6 feet and a minimum side setback of 3 feet for detached accessory structures. The location of the existing garage complies with Code and would not be further impacted by increasing the height of the building, which is located adjacent to a commercial use.
- **Garage Use.** No proposed floor plan has been provided with details that would indicate the purpose for the increased building height, but the owner has verbally indicated a need for increased height. **Staff recommends that detailed floor plans be provided and that the elevations be modified to include taller garage doors that would justify the increase in permitted height.**
- **Enforcement Issues.** Code Enforcement has been working with the property owner to address multiple violations on the site. **The following issues were noted and should be addressed according to the timelines set forth in the Notice of Violation and should be resolved prior to obtaining a zoning certificate and/or building permit:**
 1. 8-foot chain link fence between the house and garage that does not comply with the 4-foot maximum height in a residential district;
 2. Parking and storage of commercial vehicles and equipment within a residential district;
 3. Storage container(s) and outdoor storage that are not permitted within a residential district;
 4. Rubbish and other materials (metal piping) on site that do not comply with provisions of the property maintenance Code.

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 detached accessory garage 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 could be appropriate should existing zoning and property maintenance issues be addressed. Staff, therefore, recommends that the proposed accessory structure height variance be approved with four conditions:

- 1) That all zoning code and property maintenance code violations be addressed prior to the issuance of a zoning certificate or building permit;
- 2) That detailed floor plans be provided and that the elevations be modified to include taller garage doors that would justify the increase in permitted height;
- 3) That a zoning certificate be obtained for the addition prior to the issuance of a building permit; and
- 4) That all applicable building permits be obtained prior to construction.

[END OF REPORT | BZA-22-39]

As part of the staff report, Mr. Combs noted that staff has concerns about the purpose of the proposed height increase beyond the Code and whether the use will comply with the zoning for the property. Mr. Combs reviewed and briefed the Board on the status of pending Code Enforcement action and how those issues are being addressed.

Mr. Steele inquired more about the enforcement issues that were being addressed; Mr. Combs explained that the applicant has taken care of some issues in the past week, but that others remain. He noted that obtaining information about the proposal from the applicant has been difficult.

Mr. Stepp asked if the BZA could postpone the case since the applicant is not here and there is a concerned neighbor and not enough information.

Mr. Martin noted that the condition in the staff report indicated that the floor plan must be provided in order to get approval.

Mr. St. Clair voiced concerns that the zoning issues should be addressed prior to considering the variance.

Mr. Martin asked about the status of the driveway; Mr. Combs noted that the driveway is paved but is not necessarily in the best condition.

Mr. Stepp noted his concern for the residents behind the property; Mr. Combs pointed out on the aerial that the property has had shipping containers that have been removed, but that Code Enforcement continues to work on the commercial equipment and trailer.

Mr. Stepp asked about the property's zoning, and Mr. Combs explained that the site has residential zoning.

Mr. Steele suggested the option for including a timeframe to address issues; Mr. Combs noted for the Board that they had the option to vote up or down on the request, but could also certainly postpone the application to obtain more information and to see if the applicant would be present.

Mr. Martin asked if the proposed height would be greater than the house; Mr. Combs said that there were no measurements on the house, but they appeared to be similar in height.

With no additional discussion, Mr. Martin made a motion to postpone *BZA-22-39 – Pettibone Residence – 2893 Hilliard Rome Road* to the January 19, 2023, regular meeting. Mr. Steele seconded the motion.

Mr. Talentino noted for the Board that the January meeting should give time to obtain additional information and to ensure that the applicant appears for the meeting.

Status:	Postponed to the regular meeting on January 19, 2023 (4-1).
Mover:	Mr. James Martin
Second:	Mr. Arthur Steele
Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin and Mr. Arthur Steele.
Nays:	Mr. Steve Donato

CASE 4: BZA-22-40 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD

PARCEL NUMBER: 050-002824

APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.

REQUEST: Review and approval of a variances to Hilliard Code Section 1127.04 to approve a comprehensive site parking plan for a two-story, 3,240-square-foot building addition on 0.44-acre.

At the request of the applicant, Mr. St. Clair made a motion to postpone *BZA-22-40 – Colorado Mountain Sports – 4445 Cemetery Road* to the January 19, 2023, meeting. Mr. Stepp seconded the motion.

Status:	Postponed to the regular meeting on January 19, 2023 (5-0).
Mover:	Mr. Greg St. Clair
Second:	Mr. Bobby Stepp

Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato and Mr. Arthur Steele.
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CASE 5: BZA-22-41 – COLLEY & SMITH RESIDENCE – 4375 KERR DRIVE

PARCEL NUMBER: 050-000811 (Avery Road Subdivision)

APPLICANT: Joseph Colley & Jennifer Smith, 4375 Kerr Drive, Hilliard, OH 43026.

REQUEST: Review and approval of a variance under the provisions of Hilliard Code Section 1301.03 and the 2019 Residential Code of Ohio to increase the maximum size of the evaporator coil to a 3-ton horizontal system.

[Mr. Combs provided the staff report]

BACKGROUND:

The site includes 0.19-acre located at the northwest corner of Kerr Drive and Packard Drive. The parcel is Lot #89 within the Avery Road Subdivision and is zoned R-2, Low/Medium Residential District. The subdivision plat was signed in 1955 and includes lots that are generally 60' x 120' in size. Properties surrounding the site are zoned R-2 as part of the same subdivision. The property owner submitted for a 428-square-foot home addition to the home that met side yard requirements and did not expand further into the front or rear setbacks. The proposed addition, which includes an owner's suite and laundry, was granted a zoning certificate on February 14, 2022 (Z-21-86). The owner applied for building permits when the zoning certificate was approved and has provided a denial to the application submitted by Mr. Colley. Section 1301.03 of the Hilliard Codified Ordinances grants the Board of Zoning Appeals the authority to grant variances and to hear appeals to decisions made by the Chief Building Official (CBO) under the Residential Code of Ohio (RCO).

This is a variance request to the Ohio Residential Building Code to increase the maximum permitted size of an evaporator coil to a 3-ton Horizontal System.

REVIEW CRITERIA:

Section 1301.03 – Appeals and Variances

- (a) The Board of Zoning Appeals (the "Board") shall have authority to grant variances and hear appeals to decisions of the Chief Building Official (CBO) under the Residential Code of Ohio (RCO) as hereinafter provided.
- (b) Where, because of conditions peculiar to a particular building, it would be unreasonably difficult to meet the literal requirements of the RCO, a variance may be granted by the Board upon written application therefore. The application shall state in writing the reasons why the variance should be made. A variance may be granted only where it is evident that reasonable safety and sanitation is assured and may include conditions not generally specified by the RCO in order to achieve that end. The variance may include an expiration date. A copy of the variance shall be filed in the office of the CBO and a copy shall be given to the applicant.
- (c) Whenever it is claimed that the true intent and meaning of the RCO has been wrongly interpreted or that the time allowed for compliance is unreasonable, the owner, his agent or the occupant, as the case may be, may file a notice of appeal from a decision or order of the CBO. The notice shall be in writing and filed within ten days after the decision or order of the CBO has been made. The Board, when appealed to, may modify the "decision" or order of the CBO. Its decision shall be final, subject however, to such remedy as any aggrieved person may have at law or in equity. The Board's decision shall be in writing and filed in the office of the CBO, and a certified copy shall be given to the appellant.

CONSIDERATIONS:

- **Proposal.** The applicant is proposing to utilize the following HVAC components that were reviewed by Building Standards. The proposed equipment was not approved based on RCO standards as listed in the ACCA manual. The property owner is requesting a variance to the provisions of the Residential Building Code of Ohio as outlined in Hilliard Code Section 1301.03.
 - (1) Furnace – Goodman 40,000 BTU 96% AFUE 2 stage gas furnace
 - (2) Air Condenser – Goodman 1.5-ton 14 SEER air conditioner condenser
 - (3) Coil – Goodman 3-ton 17.5” horizontal evaporator cased coil
- **RCO Section 1401.3.** Section 1401.3 pertaining to equipment and appliance sizing indicates the following: “Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S (Air Conditioning Contractors of America - Residential Equipment Selection) or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J (Air Conditioning Contractors of America - National Standard for Residential Load Calculation) or other approved heating and cooling calculation methodologies.”
- **RCO Exceptions.** The RCO includes two exceptions to the sizing requirements that are specified in Section 1401.3:
 - (1) “The specified equipment or appliance utilizes multistage technology or variable refrigerant flow technology and the loads calculated in accordance with the approved heating and cooling calculation methodology are within the range of the manufacturer’s published capacities for that equipment or appliance.” 2019 RCO 1401.03
 - (2) “The specified equipment or appliance manufacturer’s published capacities cannot satisfy both the total and sensible heat gains calculated in accordance with the approved heating and cooling calculation methodology and the next larger standard size unit is specified.” 2019 RCO 1401.03
- **Requested Variance.** The applicant has indicated through submitted information that manufacturer information indicates that the 3-ton coil is necessary for Goodman units that sit horizontally. Manufacturer information also indicates that “...in many situations, a condenser that is paired with the condenser is going to be smaller than this coil. This is intentional to maintain the overall unit’s efficiency.” The applicant has also received notice from the contractor that the specified equipment is the smallest that is available by the manufacturer in that model. Since this is a request to vary from the Residential Code of Ohio, staff recommends that any approval by the Board include an acknowledgement from the applicant that they are clearly aware they are requesting deviation from adopted industry standards and that they take on all potential liability and any ramifications as to their selection of HVAC equipment for their residence.

STAFF RECOMMENDATION:

Planning staff finds that the proposed variance is generally consistent with the spirit and intent of the Code. As proposed, the proposed use of mechanicals complies with the specifications set forth by the manufacturer and staff, therefore recommends that the proposed building code variance be approved with three conditions:

- 1) That the applicant acknowledges the request is a deviation from the Residential Building Code of Ohio and assumes any and all liability due to the proposed equipment and installation methods;
- 2) That the applicant shall disclose said information regarding the variance to any future homebuyer as part of required real estate disclosures; and
- 3) That a building permit be obtained prior to installation.

[END OF REPORT | BZA-22-41]

Mr. Talentino explained for Mr. St. Clair noted that there are other options that could be explored, but this would be the easiest to install for the applicant. He noted that there are no safety issues, the proposed configuration does not meet the building code requirements for energy efficiency. He explained that the CBO simply cannot sign off on the permit because of the energy efficiency standards.

Mr. St. Clair asked about the condition regarding disclosure; It was noted that the proposed condition is more to put the applicant on notice of their responsibility.

Mr. Martin voiced concern that the application was a request to vary from the state building code; Mr. Talentino explained that under the Hilliard Codified Ordinances that there are provisions to request a local variance to Ohio's residential building code. He explained that most requests are for basement height or for older homes when finishing attics or upper floors. He verified that the request is to vary from the energy efficiency standards of the Ohio Residential Building Code and saves the applicant from having to go through a lengthy process with the State Board.

Mr. Steele, seconded by Mr. Stepp, made a motion to approve a variance under the provisions of Hilliard Code Section 1301.03 and the 2019 Residential Code of Ohio to increase the maximum size of the evaporator coil to a 3-ton horizontal system with three conditions:

- 1) That the applicant acknowledges the request is a deviation from the Residential Building Code of Ohio and assumes any and all liability due to the proposed equipment and installation methods;
- 2) That the applicant shall disclose said information regarding the variance to any future homebuyer as part of required real estate disclosures; and
- 3) That a building permit be obtained prior to installation.

Status:	Approved (5-0) with three conditions.
Mover:	Mr. Arthur Steele
Secunder:	Mr. Bobby Stepp
Ayes:	Mr. Bobby Stepp, Mr. Greg St. Clair, Mr. James Martin, Mr. Steve Donato and Mr. Arthur Steele.

PRESIDENT'S COMMUNICATION

Mr. St. Clair inquired about cases for next month; Mr. Combs noted that the two postponed cases would be heard and that additional cases would be likely by the deadline.

Mr. Martin asked if the pool code changes have been addressed; Mr. Combs said that the ordinance change has been approved and is effective. Mr. St. Clair noted that the number of cases has been reduced.

Mr. Martin also inquired about the property at 4555 Lyman Drive that had pending litigation; Mr. Talentino said that an R&D company producing batteries is now going into the building. He noted for the Board that the court case regarding the site appears to be completely resolved in favor of the City.

Mr. Martin also inquired about the industrial property on Lyman Drive; Mr. Talentino said that an R&D company producing batteries is going into the building. He noted for the Board that the court case regarding the site had been resolved in the Franklin County Court of Common Pleas.

ADJOURNMENT – 7:36 PM

Mr. Martin seconded by Mr. Steele made a motion to adjourn the meeting.

CERTIFICATION:

Carson Combs, Planning Manager
January 20, 2023

[END OF MINUTES | December 15, 2022]

STAFF REPORT



Board of Zoning Appeals

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

Thursday, January 19, 2023 | 7:00 pm

CASE 1: BZA-22-39 – PETTIBONE RESIDENCE – 2893 HILLIARD ROME ROAD

PARCEL NUMBER: 050-002927

APPLICANT: Jason Pettibone, 2893 Hilliard Rome Road, Hilliard, OH 43026

REQUEST: Review and approval of variance to Hilliard Code Section 1121.02(b)(6) to increase the maximum permitted height from 14 feet to 16.5 feet and to Section 1121.02(b)(7) to increase the maximum permitted size from 900 square feet to 1,568 square feet for an accessory structure expansion.

UPDATE:

At the regular meeting in December, the Board deliberated the request for a height variance and postponed the case (4-1) because the applicant was not present to answer questions. Subsequently, the applicant amended the variance request to include an additional variance to increase the maximum permitted size of the accessory structure.

BACKGROUND:

The site includes two parcels totaling 0.76-acre along the west side of Rome Hilliard Road, 200 feet south of Richlanne Drive and 150 feet north of Sutter Home Road. The property is zoned R-3, Moderate Density Residential District. Residential properties to the west and south are also zoned R-3 as part of Section 2 within the Sutton Place subdivision. Wayac Scales and Calibration is located to the north and is also zoned R-3. Across Hilliard Rome Road are residential properties zoned R-1, Low Density Residential District, as part of the Richlanne Acres subdivision and other properties zoned PUD, Planned Unit Development District, as part of the *Hilliard Rome MOB & Office* PUD Concept Plan and Text (Ordinance 20-23). Uses across the street within the PUD include a residence and Professional Pediatrics.

This is a request to increase the maximum permitted height for a detached garage from 14 feet to 16.5 feet. The applicant is also requesting to increase the maximum permitted size of the accessory structure from 900 square feet in area to 1,568 square feet.

CONSIDERATIONS:

- **Building Height.** The applicant is proposing to increase the height of an existing ±784-square-foot detached accessory garage located behind the primary structure. Section 1121.02(b)(6) of the Zoning Code limits the height of accessory structures to 14 feet. The proposed variance would result in a building height of 16.5 feet as measured by Code to the mid-point of a gabled/pitched roof. Within the past year, the Board has approved one similar variance to permit 24 feet in height [BZA-21-45 Hornik & Windholtz Residence].
- **Building Expansion.** Section 1121.02(b)(7) of the Zoning Code limits the size of accessory structures to 50% of the principal building floor area or 900 square feet, whichever is less. The 1,800-square-foot residence would permit 900 square feet according to the Code. The 2-car detached garage is 28' wide x 28' feet deep (784 square feet) and would be increased to a depth of 56 feet. The applicant is proposing

to increase the depth of the building from 28 feet to 56 feet, increasing the size of the building to 1,568 square feet. In the past year, the Board has approved two such variances on properties that are larger than typical suburban lots [BZA-21-45 Hornik & Windholtz Residence and BZA-22-10 Green Residence].

- The applicant has revised the application to include a building expansion since the last meeting for additional storage space to park equipment and resolve Code Enforcement issues. **A zoning certificate and building permit will be required prior to construction for any modifications.**
- **Garage Door.** At the December meeting staff could not explain why no change was proposed for the two 9-foot garage doors. The applicant is now proposing a single 16' x 12' overhead door that would correspond with proposed height.
- **Zoning Standards.** The property includes two parcels and is zoned R-3 and includes the following standards. The proposed improvements do not impact applicable zoning standards.

	R-3 Code	Site
Minimum Lot Size	11,200 sf	33,105 sf
Minimum Front Setback	30 feet	±20 feet (existing)
Minimum Side Setback	10 feet (20 total)	±40 feet (±80 total)
Minimum Rear Setback	30 feet	±150 feet
Maximum Lot Coverage	35%	±7.5%
Minimum Floor Area	1,200 sf	±1,610 sf

- **Zoning History.** This property was zoned in September 1993 from A-1, Agricultural District to R-3, Medium Residential District through Ordinance 93-67. In 2016 (Ordinance 15-58), the property was rezoned to B-3, Office/Institutional District with a limited overlay to permit office uses in the home. One year later, the 0.723-acre property was again rezoned back to the R-3, Moderate Density Residential District.
- **Accessory Structures.** The Zoning Code requires a minimum rear setback of 6 feet and a minimum side setback of 3 feet for detached accessory structures. The location of the existing garage complies with Code and would not be further impacted by increasing the height of the building or adding to the rear of the structure located adjacent to a commercial use to the north. **Staff recommends that as a provision of the variance request, the existing small shed in the rear corner of the lot and any other accessory structures be removed.**
- **Garage Use.** No floorplan with specified uses/spaces has been provided, but the owner has verbally indicated a need for the increased height and size to store vehicles/equipment that are currently causing enforcement issues. In accordance with the property's residential zoning, the space would be permitted for storage and not to operate a commercial business on the property. **Staff recommends that the expanded garage be used to bring the property into compliance and that no outdoor storage of commercial vehicles, equipment, trailers or shipping containers are permitted.**
- **Enforcement Issues.** Code Enforcement has been working with the property owner to address multiple violations on the site. **The following issues were noted and should be addressed according to the timelines set forth in the Notice of Violation and should be resolved as part of this application:**

1. 8-foot chain link fence between the house and garage does not comply with the 4-foot maximum height in a residential district;
2. Parking and storage of commercial vehicles and equipment within a residential district;
3. Shipping container(s) and outdoor storage that are not permitted within a residential district; and
4. Rubbish and other materials (metal piping) on site that do not comply with provisions of the property maintenance Code.

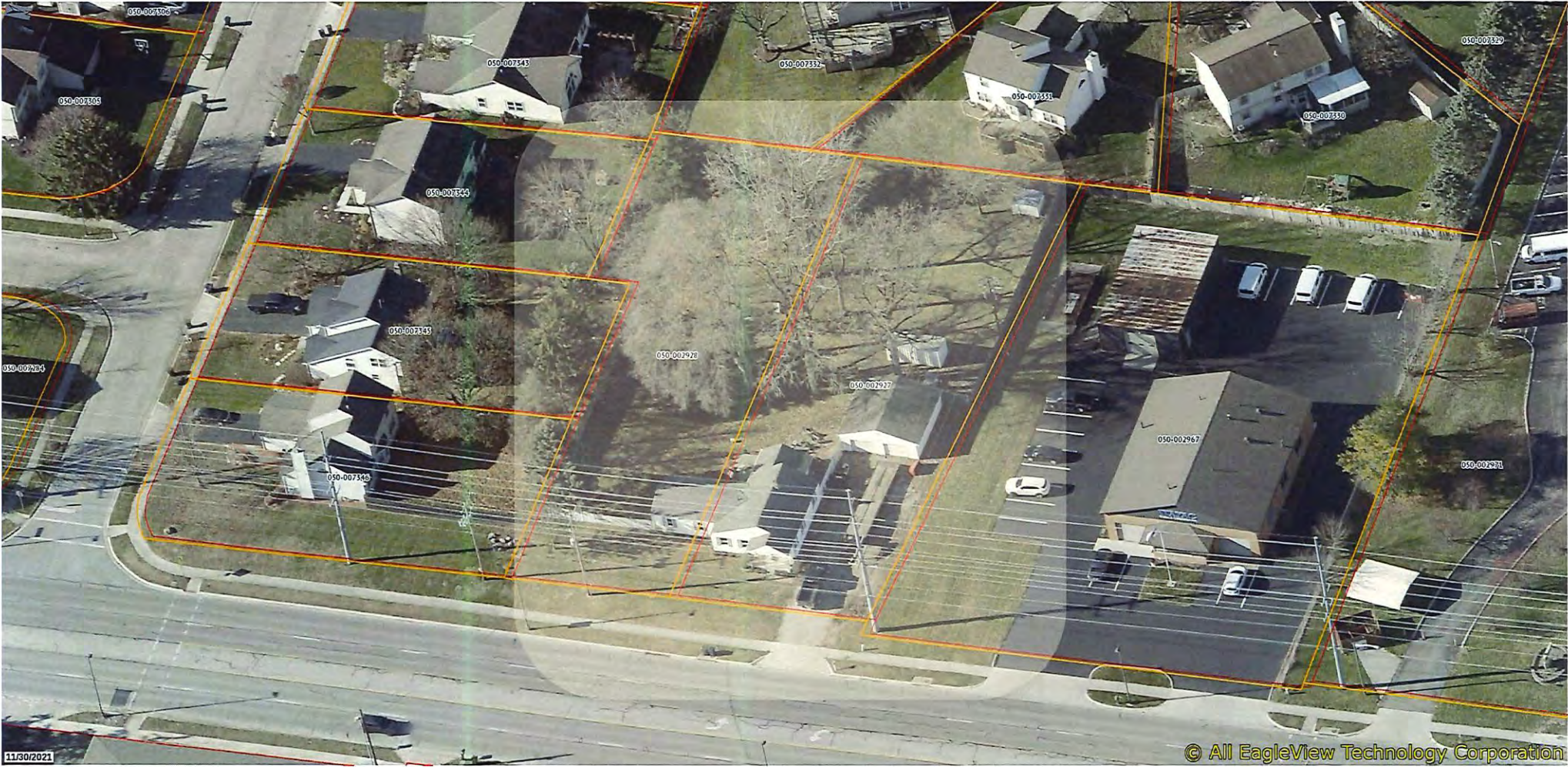
Existing privacy fencing on the property should also be addressed for general maintenance issues.

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 detached accessory garage 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 the granting of the variance, as amended below, will improve the property and bring the site further into Code compliance. Staff, therefore, recommends that the proposed accessory structure variances be approved with four conditions:

- 1) That all other accessory structures on the property be removed in conjunction with the garage improvements;
- 2) That no outdoor storage of commercial vehicles, equipment, trailers or shipping containers are permitted on the property except in an approved accessory structure, consistent with the residential zoning;
- 3) That all zoning code and property maintenance code violations are addressed as required by Code Enforcement; and
- 4) That a zoning certificate and building permit are obtained for the accessory structure prior to construction.

[END OF REPORT | BZA-22-39]

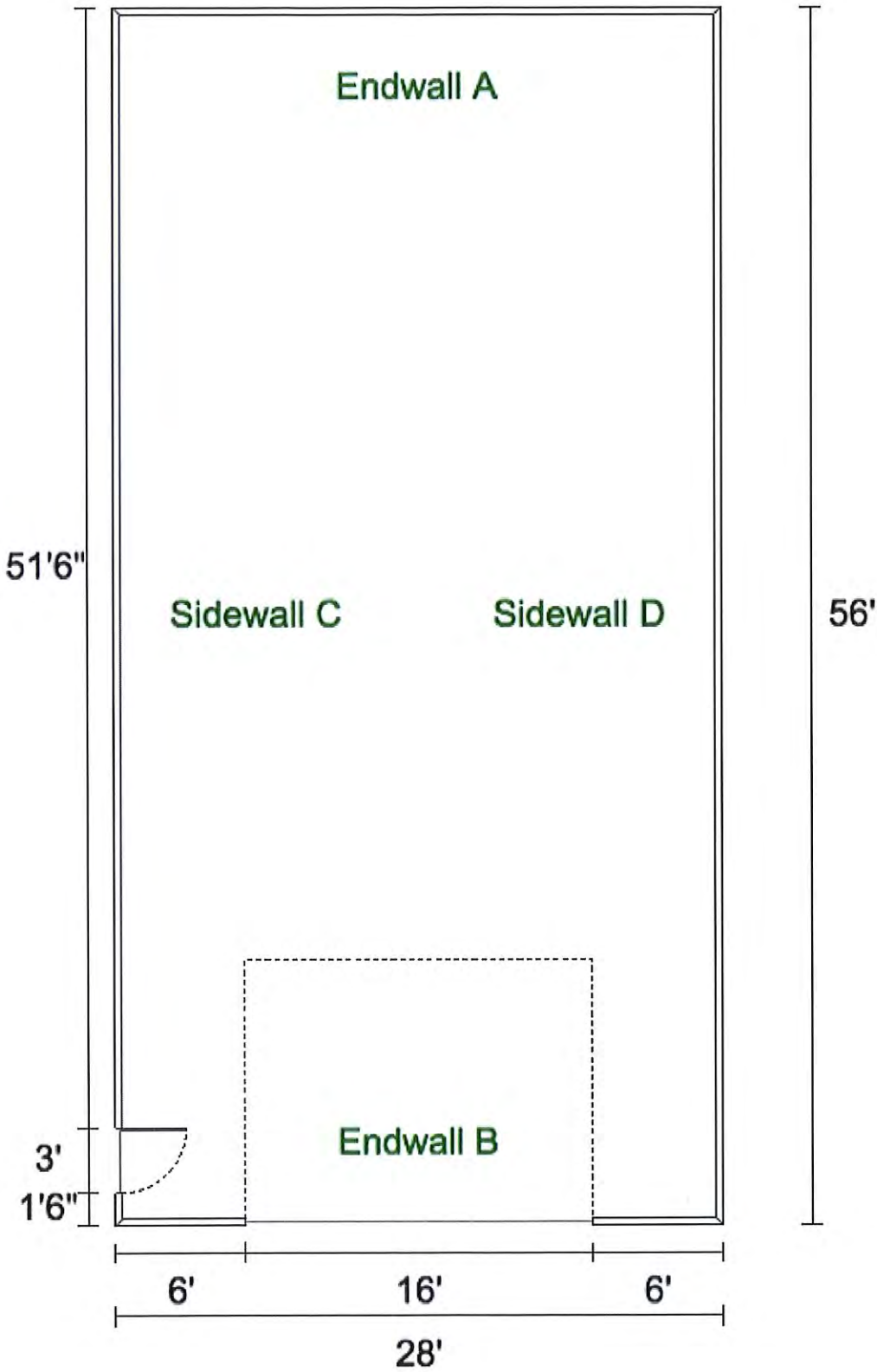


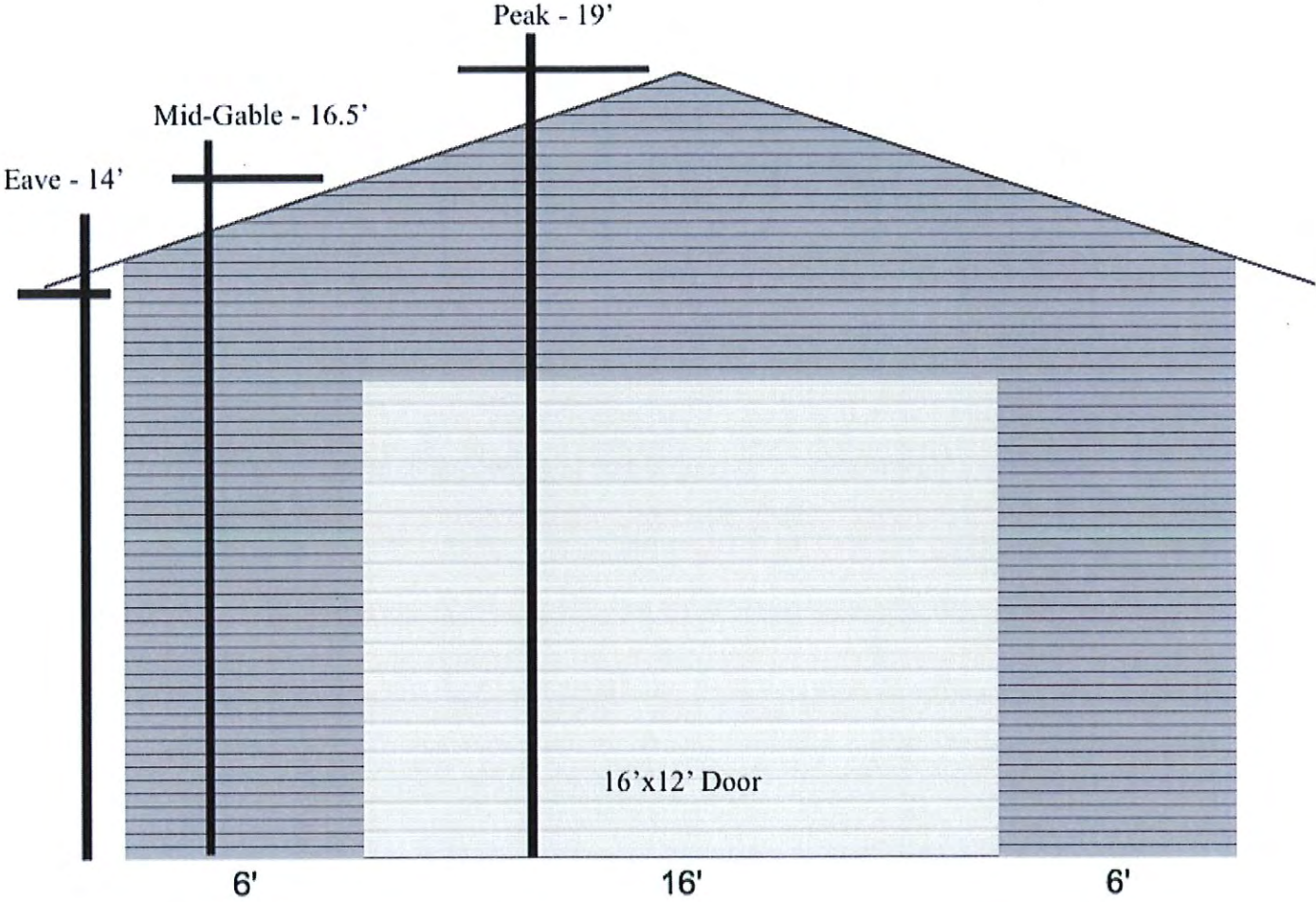
11/30/2021

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3800 Municipal Way, Hilliard, Ohio 43026 | Phone 614.876.7361 | www.hilliardohio.gov

BOARD OF ZONING APPEALS
BOARD ORDER
 Thursday, January 20, 2022

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

CASE 2: BZA-21-45 – Hornik & Windholtz residence – 4272 Elliott Road

PARCEL NUMBER: 050-005619

APPLICANT: Catherine Hornik & Matthew Windholtz, 4272 Elliott Road, Hilliard, OH 43026; and William Pizzino, P.E., 9495 SR 161, Plain City, OH 43064.

REQUEST: Review & approval of a variance from Hilliard Code Section 1121.02(b)(6) to permit an accessory building greater than 14 feet in height and Section 1121.02(b)(7) to permit an accessory building greater than 900 square feet.

MOTION: A Motion was made by Mr. Epling to approved the proposed variances based on the findings noted in the staff report consistent with the provisions of Hilliard Code Section 1106.04 with the following 2 conditions:

- 1) That the proposed accessory building is limited to 24 feet in height and the floor area as proposed; and
- 2) That all required permits are obtained prior to construction.

Mr. Donato seconded the motion.

VOTE:

President Piper	Yes
Mr. Donato	Yes
Mr. Epling	Yes
Mr. Martin	Yes
Mr. St. Clair	Yes
Mr. Steele	Yes
Mr. Stepp	Yes

STATUS: The motion passed 7-0 and Case #2: BZA-21-45 was approved.

CERTIFICATION:

Carson Combs, Acting Clerk
 January 20, 2022



3800 Municipal Way, Hilliard, Ohio 43026 | Phone 614.876.7361 | www.hilliardohio.gov

**BOARD OF ZONING APPEALS
BOARD ORDER**

Thursday, April 21, 2022

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

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.

MOTION: President Piper made a motion to approve 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 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.

Mr. Donato seconded the motion.

VOTE:

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

CERTIFICATION:

Carson Combs, Acting Clerk/Planning Manager
April 22, 2022

STATUS: The application is approved (6-0).

ORDINANCE
of the
CITY of HILLIARD, OHIO

Ordinance No.: 93-67
Page _____ of _____ pages
Passed: September 27, 1993
Effective: September 28, 1993

AN ORDINANCE TO REZONE 2893 HILLIARD-ROME ROAD
FROM A-1 (AGRICULTURE) TO
R-3 (MEDIUM-DENSITY RESIDENTIAL)

WHEREAS: The applicant requested approval to rezone the property located at 2893 Hilliard-Rome Road from A-1 (Agriculture) to R-3 (Medium-Density Residential); and

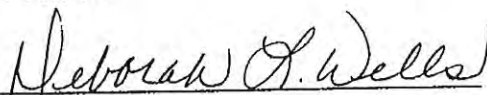
WHEREAS: The Planning Commission at a duly advertised public hearing on August 12, 1993 recommended approval of the same.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard that:


SECTION 1. The property located at 2893 Hilliard-Rome Road as described in the attached legal description (Exhibit A) and as shown on the attached map (Exhibit B) be and the same is hereby rezoned from A-1 (Agriculture) to R-3 (Medium-Density Residential).

SECTION 2. This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

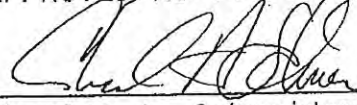
ATTEST:


Deborah L. Wells
City Clerk


SIGNED:


Deverre B. Knickel
Council President

APPROVED AS TO FORM:

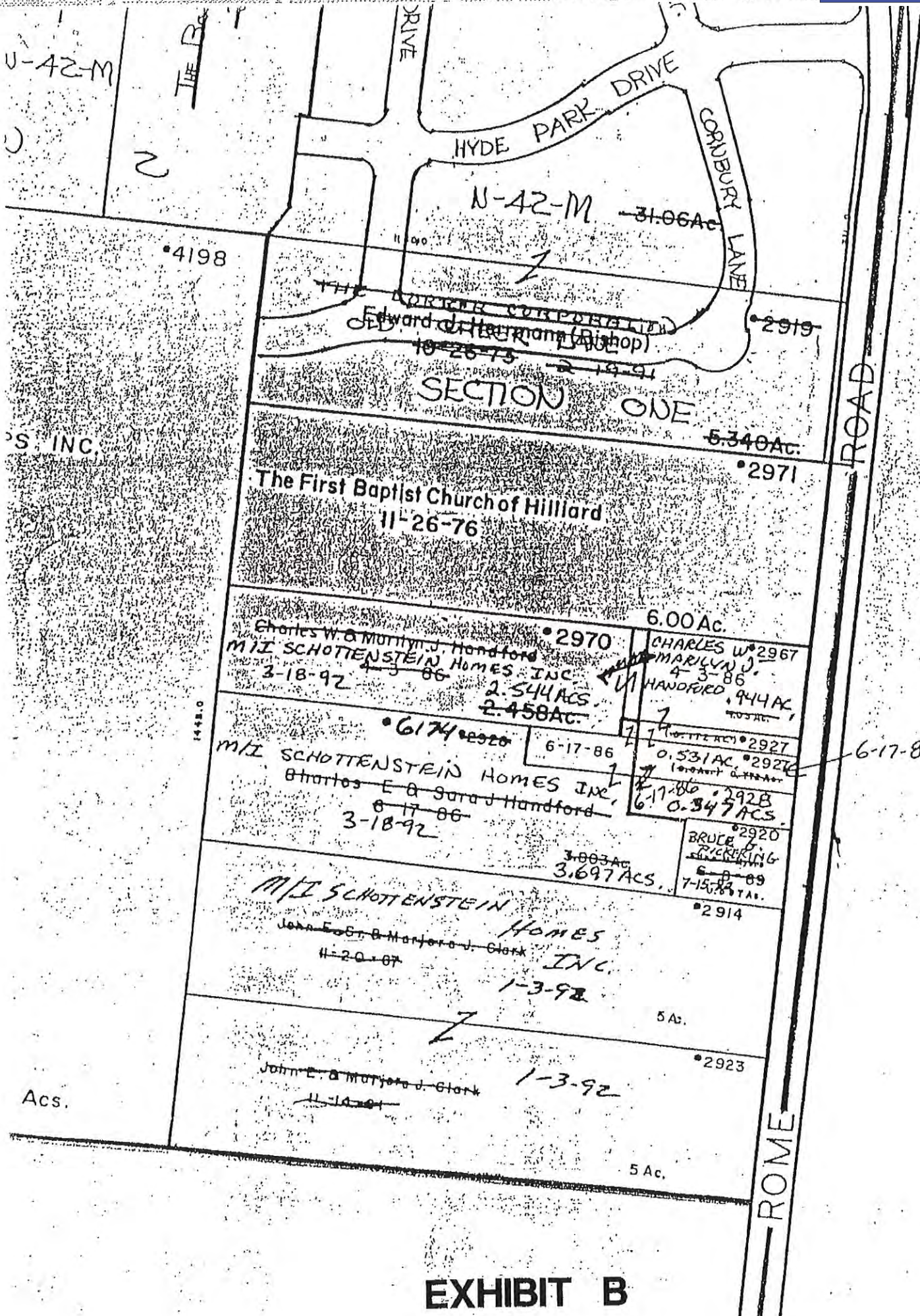

Charles A. Schneider
Law Director

APPROVED:


Roger A. Reynolds
Mayor

95-67

Exhibit A, legal description, is forthcoming. **Missing as of
1/10/2023**





Ordinance: 15-58
Page: 1 of 2

Passed: January 25, 2016
Effective: February 25, 2016

REZONING A 0.745 +/-ACRE OF LAND LOCATED ON THE WEST SIDE OF HILLIARD ROME ROAD, APPROXIMATELY 200 FEET NORTH OF SUTTER HOME ROAD FROM R-3 "MODERATE DENSITY RESIDENTIAL" TO B-3 "OFFICE/INSTITUTIONAL" WITH A LIMITED OVERLAY FOR OFFICE USES ONLY.

WHEREAS, Christopher B. Stout (the "Owner") owns approximately a 0.745± acre of land located on the west side of Hilliard Rome Road, approximately 200 feet north of Sutter Home Road in Hilliard, identified as parcel numbers 050-002927 and 050-002928 by the Franklin County Auditor's Office (the "Property"), depicted in Attachment "One", **attached** hereto; and

WHEREAS, the Owner submitted application number 15-0224LR to the City's Planning and Zoning Commission to rezone the Property from its current classification of R-3 "Moderate Density Residential" to that of a B-3 "Office/Institutional" with a Limited Overlay for office uses only, **attached** hereto as Exhibit "C" and incorporated herein; and

WHEREAS, City staff believes the proposal is consistent with the Hilliard Master Plan to maintain a fiscally balanced land use pattern, to incorporate revenue producing land uses, to preserve and enhance the quality of life, and to maintain a high quality built environment throughout the community; and

WHEREAS, on November 12, 2015, following its duly advertised public hearing, the Planning and Zoning Commission voted 6-0 to forward a positive recommendation to City Council to rezone the Property to B-3 "Office/Institutional" with a Limited Overlay for office uses only.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The 0.745 ±acre of land located on the west side of Hilliard Rome Road, approximately 200 feet north of Sutter Home Road, the graphical exhibit and legal description of which are **attached** hereto as Exhibits "A" and "B" respectively, and incorporated by reference herein, is rezoned from R-3 "Moderate Density Residential" to B-3 "Office/Institutional" pursuant to Chapter 1139 of the City's Codified Ordinances.

SECTION 2. The Limited Overlay Text for the Property, dated November 16, 2015, attached hereto as Exhibit "C" and incorporated by reference herein, is approved.

SECTION 3. This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

ATTEST:

SIGNED:

Lynne M. Fasone
Lynne M. Fasone
Clerk of Council

Nathan D. Painter
Nathan D. Painter
President of Council

APPROVED AS TO FORM:

APPROVED:

Tracy L. Bradford
Tracy L. Bradford
Director of Law

Donald J. Schonhardt
Donald J. Schonhardt
Mayor

Ordinance 15-58

VOTE	Yea	Nay	Abstain
Baker	✓		
Carrier	✓		
Erb	✓		
Iosue	✓		
McGivern	✓		
Painter	✓		
Uttley	✓		
TALLY	7	0	0

Ordinance 15-58 - Exhibit A



SCIOTO LAND SURVEYING SERVICE, INC.

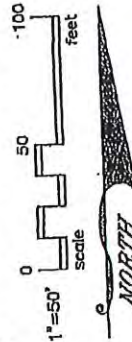
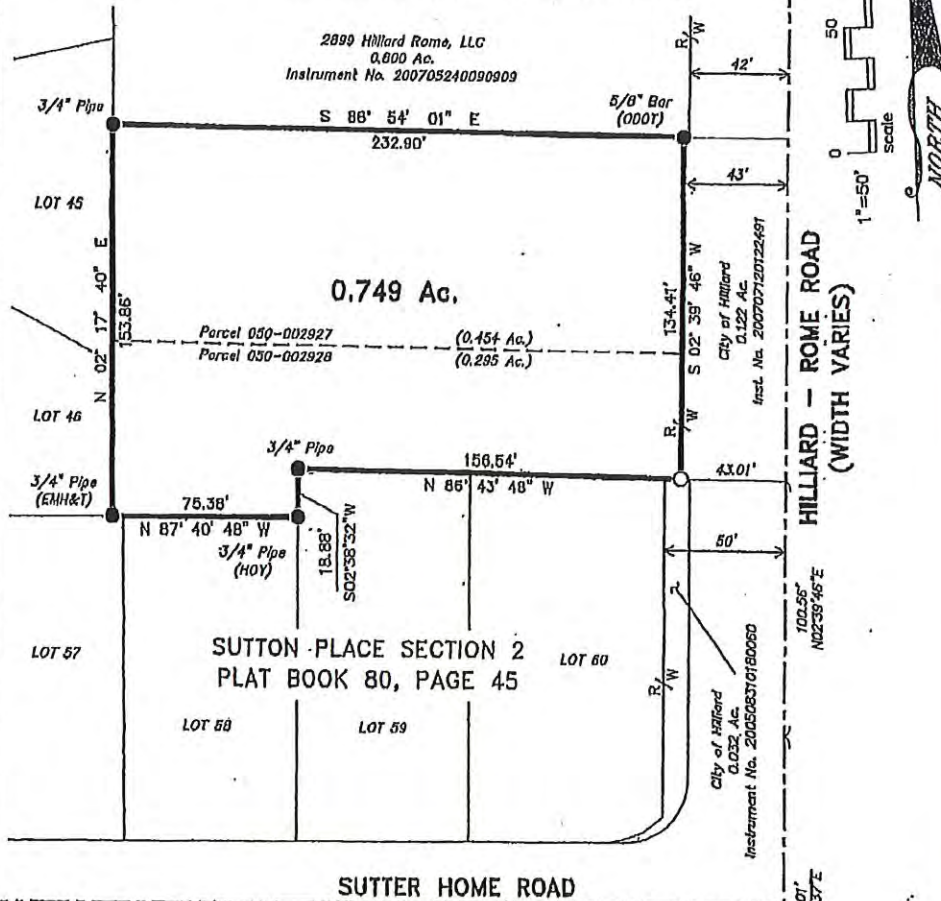
173 North Sandusky Street
Delaware, Ohio 43015
740.369.7677

Surveyors
Karen S. Coffman, P.S. 7845
Steven Gajary, P.S. 6103
Rellred, Frank Cello, P.S. 6612

**PLAT OF SURVEY FOR
B. N. REDDY**

PART OF VIRGINIA MILITARY SURVEY NO. 2417,
CITY OF HILLIARD, FRANKLIN COUNTY, OHIO
ALL OF THE REMAINDER OF AN ORIGINAL 0.867 Ac.
INSTRUMENT NO. 200610120204141

RECORDS USED
Deeds and Plats
as shown.



LEGEND

- Iron Bar or Pipe Found
- 5/8" Iron Bar Set with a cap marked "SLSS PS 7845"

BASIS OF BEARINGS

West Right-of-Way of Hilliard Rome Road (S 2° 39' 46" W) per Inst. No. 200707120122491

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING. TITLE CAPTION AND THAT SAID SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ROAD RIGHT-OF-WAY IS ASSUMED AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY UNLESS OTHERWISE NOTED. EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY, IF ANY, NOT LOCATED UNLESS NOTED.

K S Coffman 10/11/12
KAREN S. COFFMAN, SURVEYOR
Registration No. 7845

SEPTEMBER 29, 2012
DATE OF SURVEY

ROBERTS ROAD
FCOS #6865 RESET





173 North Sandusky Street
Delaware, Ohio 43015

Ordinance 15-58. Exhibit B

SCIOTO LAND SURVEYING SERVICE

Surveyors

Phone: 740-809-7677
FAX: 740-382-7677

Karen S. Coffman, P.S. 7845
Jatvon Galary, P.S. 8183
Rellred, Frank Cello, P.S. 8612

Description of a 0.749 acre tract
for B. N. Reddy

October 11, 2012

Situated in the City of Hilliard, County of Franklin, State of Ohio, being part of Virginia Military Survey Number 2417, and being all of the remainder of the original 0.867 acre tract conveyed to B. N. Reddy in Instrument Number 200610120204141 and being more particularly described as follows:

COMMENCING at FCGS Monument #6665 RESET located at the intersection of the centerlines of Hilliard-Rome Road and Roberts Road;

thence along the said centerline of Hilliard-Rome Road **North 03° 09' 37" East 2384.01 feet**;

thence continuing along the said centerline of Hilliard-Rome Road **North 02° 39' 46" East 100.56 feet**, being the southeast corner of a 0.122 acre tract now or formerly owned by the City of Hilliard, as described in Instrument Number 200707120122491;

thence along the south line of the said 0.122 acre tract, and along the north line of a 0.032 acre tract now or formerly owned by the City of Hilliard, as described in Instrument Number 200508310180060 **North 86° 43' 48" West 43.01 feet** to an Iron bar set, being the **TRUE POINT OF BEGINNING**;

thence along the said north line of the 0.032 acre tract, and along the north line of Lot 60 and Lot 59 of Sutton Place Section 2, as delineated in Plat Book 80, Page 45 **North 86° 43' 48" West 156.54 feet** to a 3/4" Iron pipe found, being the northwest corner of said Lot 59;

thence along the west line of said Lot 59 **South 02° 38' 32" West 18.88 feet** to a 3/4" Iron pipe found (HOY), being the northeast corner of Lot 58 in Sutton Place Section 2;

thence along the north line of said Lot 58 **North 87° 40' 48" West 75.38 feet** to a 3/4" Iron pipe found (EMH&T) at the southeast corner of Lot 46 of Sutton Place Section 2;

thence along the east line of Lot 46 and Lot 45 of said Sutton Place Section 2 **North 02° 17' 40" East 153.86 feet** to a 3/4" Iron pipe found, being the southwest corner of a 0.800 acre tract now or formerly owned by 2899 Hilliard Rome, LLC, as described in Instrument Number 200705240090909;

thence along the south line of the said 0.800 acre tract **South 86° 54' 01" East 232.90 feet** to a 5/8" Iron bar found (ODOT), being the northwest corner of a 0.122 acre tract now or formerly owned by the City of Hilliard, as described in Instrument Number 200707120122491;

thence along the west line of the said 0.122 acre tract, also being the west right-of-way line of Hilliard-Rome Road **South 02° 39' 46" West 134.41 feet** to the **TRUE POINT OF BEGINNING**;

containing **0.749 acres**, there being approximately 0.454 acres in Parcel Number 050-002927 and approximately 0.295 acres in Parcel Number 050-002928;

subject to all easements, restrictions, and rights-of-way, if any, of record;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7845 on September 29, 2012. Basis of bearings is the west right-of-way line of Hilliard-Rome Road (South 02° 39' 46" West), as described in Instrument Number 200707120122491. All Iron bars set are 5/8" in diameter and are set with a plastic cap marked "SLSS PS 7845".


Karen S. Coffman, Surveyor
Registration No. 7845



Ordinance 15-58 - Exhibit C

**LIMITED OVERLAY TEXT
FOR THE
STOUT PROPERTIES B-3, OFFICE/INSTITUTIONAL, ZONING DISTRICT
PARCELS #050-002927 AND 050-002928
(2893 HILLIARD ROME ROAD)
DATE: NOVEMBER 16, 2015**

The 0.745+/- acre owned by Christopher Stout, located at 2893 Hilliard Rome Road (Parcels #050-002927 and 050-002928), shall be subject to the following additional limitations and shall also meet the standards of the underlying zoning district and any other applicable development plan or overlay district text now in effect. In instances where standards conflict, the more restrictive standard shall apply.

Right-of-way:

Right-of-way 50 feet from the centerline of Hilliard Rome Road shall be dedicated to the City of Hilliard with the rezoning of the property.

Permitted Uses:

The site is limited to offices for executive, administrative, professional, real estate, accounting, and similar professional activities. Permitted uses shall be not more than 1,800 square feet in gross floor area.

Access:

Vehicular access to Hilliard Rome Road is limited to the existing curb cut as shown on Exhibit "A" and this restriction applies in instances of conflict with any other access provisions listed in the Zoning Code or any development plan or overlay district text now in effect.

Parking:

Parking and pavement areas other than the access drive from Hilliard Rome Road shall be located to the west of the existing residence and shall conform to the provisions of the Zoning Code concerning perimeter landscape width requirements.

Landscaping and screening:

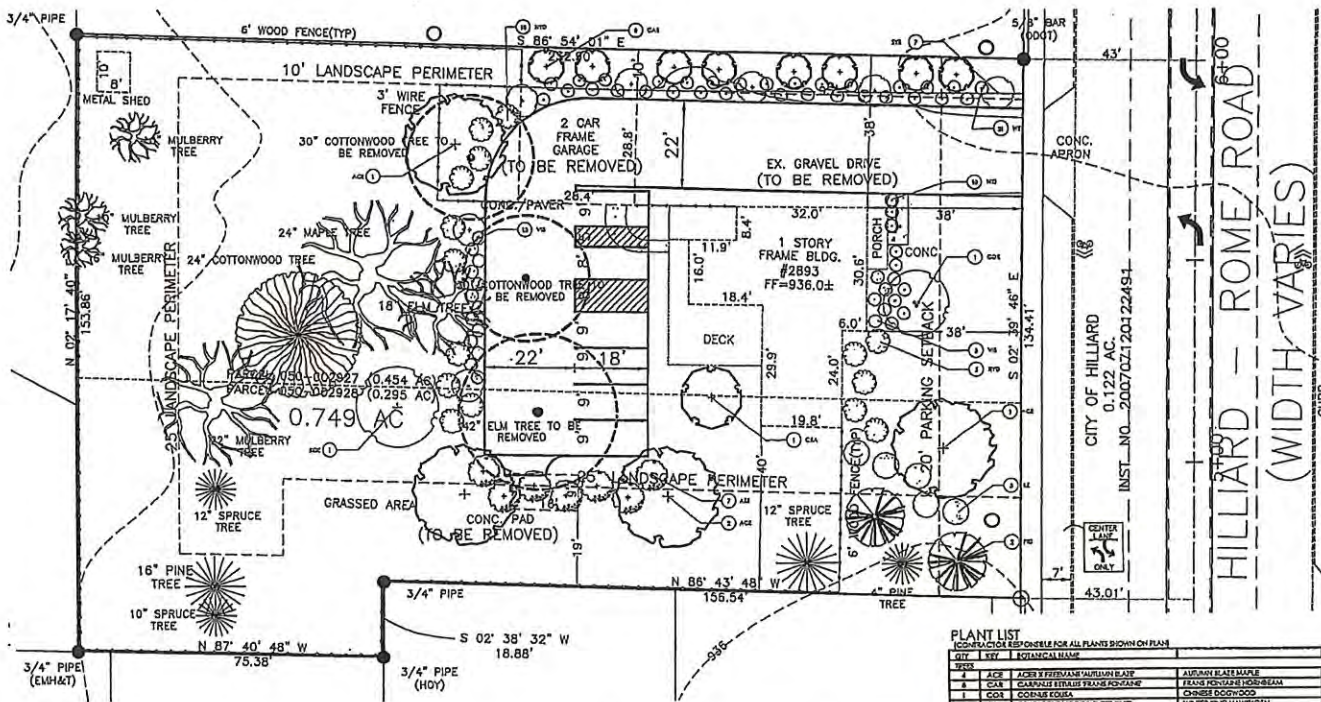
Landscaping and screening, consistent with the provisions of the Zoning Code, shall be provided at the time any nonresidential use is commenced on any portion of one or more of the properties included in this Limited Overlay Text.

Site lighting:

Site lighting shall be residential in character, shall be from cut-off type fixtures, and shall be designed so that there is no light trespass onto adjacent properties or rights-of-way.

Signage:

Signage shall meet the provisions of the Sign Code.



PLANTING PLAN - B

STOUT
 PREPARED FOR 2893 HILLIARD ROME ROAD, HILLIARD OH
 DATE: FEBRUARY 09'

TREE REPLACEMENT

REQUIRED	PROVIDED
THREE TREES REMOVED AT 102" TOTAL DIAMETER, 1" OF CALIPER PROVIDED FOR EVERY 1" DIAMETER/INCH HEIGHT REMOVED.	23 DOGWOOD TREES PROVIDED FOR A TOTAL OF 71.8" CALIPER, 20% OF REQUIRED CALIPER.

PLANT LIST

QTY	SYMBOL	SCIENTIFIC NAME	SIZE	CALIPER
4	ACE	ACER V. FRIFORMIS VARIETAL BLAUF	AURUM BLADE MAPLE	8"
4	CAK	QUERCUS ILEX FRAGRANS	FRANKLIN'S REDBARK	8"
4	COG	COENOS COEUA	CHERRY DOGWOOD	1"
1	CAH	CRATAEGUS VIGORIS VARIETAL EMF	WINNER KING HAWTHORN	8"
1	COB	COLLESA PINKA KAWA	COUCHON KUM TEE	2.5"
2	PC	POEA CALICA	WHITE PINE	12-17"
7	STK	STRONGA KECOKATA TROSTI LK	ROSE MAE LILAC BUSH	3"
SHRUBS/TREEMANS				
7	ALC	ALSOCLUTS JALVIRIOLA	BORLEUM JSH BUCKEYI	20"
15	HYD	HYDRANGEA PANICULATA TAMBOUP	LANCHON HYDRANGEA	30"
3	LE	LEA VERTICILLATA	WINDSWEPT	30"
18	VIA	VIBURNUM CARLEI	ROSEAN PRICE VIBURNUM	30"
21	WV	WIBELLA WIND & BUSH	WIND & BUSH WIBELLA	30"



HIDDEN CREEK LANDSCAPING INC.
 714 SOUTH 1000 WEST, SUITE 100, HILLIARD OH 43024
 TEL: 614.891.1111 FAX: 614.891.1112

Stout property

Ordinance 15-58 - Attachment One



Attachment "One"

03/28/2011



Ordinance: 16-40
Page: 1 of 2

Passed: December 12, 2016
Effective: February 11, 2017

REZONING A 0.723 +/-ACRE OF LAND LOCATED ON THE WEST SIDE OF HILLIARD ROME ROAD, APPROXIMATELY 200 FEET NORTH OF SUTTER HOME ROAD FROM B-3 "OFFICE/INSTITUTIONAL" WITH A LIMITED OVERLAY FOR OFFICE USES TO THAT OF R-3 "MODERATE DENSITY RESIDENTIAL".

WHEREAS, Christopher B. Stout (the "Owner") owns approximately a 0.723± acre of land located on the west side of Hilliard Rome Road, approximately 200 feet north of Sutter Home Road in Hilliard, identified as Parcel Numbers 050-002927-00 and 050-002928-00 by the Franklin County Auditor's Office (the "Property"), depicted in **Exhibit "A"**, attached hereto; and

WHEREAS, the Owner submitted application number 15-0224LR to the City's Planning and Zoning Commission to rezone the Property to B-3 "Office/Institutional" with a Limited Overlay for office uses only; and

WHEREAS, Council passed Ordinance No. 15-58 on January 25, 2016, rezoning the Property to B-3 "Office/Institutional" with a Limited Overlay for office uses only; and

WHEREAS, by passage of Resolution No. 16-R-21, adopted February 22, 2016, the City accepted a general warranty deed for 0.022 ±acres from the Owner for public right-of-way, attached hereto as **Exhibit "B"** and incorporated herein; and

WHEREAS, the Owner, having determined that there was more interest in the Property as it was originally zoned, submitted application number 16-0275LR to the City's Planning and Zoning Commission to rezone the Property from its current classification of B-3 "Office/Institutional" with a Limited Overlay for office uses only, to that of R-3 "Moderate Density Residential", attached hereto as **Exhibit "C"** and incorporated herein; and

WHEREAS, City staff believes the proposal is consistent with the Hilliard Comprehensive Plan and with the zoning of adjacent residential subdivisions; and

WHEREAS, on September 8, 2016, following its duly advertised public hearing, the Planning and Zoning Commission voted 6-0 to forward a positive recommendation to City Council to rezone the Property to R-3 "Moderate Density Residential".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The 0.723 ±acre of land located on the west side of Hilliard Rome Road, approximately 200 feet north of Sutter Home Road identified as Parcel Numbers 050-002927-00 and 050-002928-00 by the Franklin County Auditor's Office, as depicted in Exhibit "A", attached hereto and incorporated herein, is rezoned from B-3 "Office/Institutional" to R-3 "Moderate Density Residential" pursuant to Chapter 1139 of the City's Codified Ordinances.

SECTION 2. This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

ATTEST:

SIGNED:

Lynne M. Fasone
Lynne M. Fasone
Clerk of Council

Nathan D. Painter
Nathan D. Painter
President of Council

APPROVED AS TO FORM:

APPROVED:

Tracy L. Bradford
Tracy L. Bradford
Director of Law

Donald J. Schonhardt
Donald J. Schonhardt
Mayor

Ordinance 16-40

VOTE	Yea	Nay	Abstain
Baker	✓		
Carrier	✓		
Erb	✓		
Iosue	✓		
McGivern	✓		
Painter	<i>Excused</i>		
Uttley			
TALLY	6	0	0

Ordinance 16-40 - Exhibit A



s. \engineering\GIS\acad-general\Staff Requests - Engineering\John Talento\2016 Hilliard Rome Rd.dwg. 10/28/16 3:25:19 PM



Exhibit A

SCALE: 1"=60'

MAP PRINTED: SEPTEMBER 20, 2016

TRANSFERRED

MAR 16 2016

Ordinance 16-40 - Exhibit B (4 pages)CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

9000 3063	
CONVEYANCE TAX EXEMPT	
A	SC
CLARENCE E. MINGO II FRANKLIN COUNTY AUDITOR	

GENERAL WARRANTY DEED

CHRISTOPHER B. STOUT, whose tax mailing address is 2893 Hilliard Rome Road, Hilliard, Ohio 43026, the "Grantor", for valuable consideration paid, grants, with general warranty covenants, to **THE CITY OF HILLIARD, OHIO**, a municipal corporation duly organized and existing under the laws of the State of Ohio, whose tax-mailing address is 3800 Municipal Way, Hilliard, Ohio 43026, the "Grantee", the real property situated in the County of Franklin, State of Ohio, described by metes and bounds in Exhibit "A" and graphically depicted in Exhibit "B", both of which are attached hereto and incorporated by reference as if fully rewritten herein (collectively, "A" and "B" are the "Conveyed Property").

Situated in the State of Ohio, County of Franklin, City of Hilliard, lying in Virginia Military Survey Number 2417, and being part of a 0.749 acre tract conveyed to Christopher B. Stout in Instrument Number 201508190115738 of the Recorder's Office of Franklin County, Ohio.

Part of Auditor's Parcel Nos. 050-002927-00 and 050-002928-00.

The Conveyed Property herein is being donated by the Grantor, and acquired by Grantee, for a public purpose, namely the establishment of a public road right-of-way.

Grantor shall pay any and all outstanding taxes, liens, and assessments owing (including any and all delinquencies) on the Conveyed Property up to the date of transfer. Grantee to pay all transfer fees.

The real property above is subject to the restrictions, conditions, and easements of record, and to taxes, zoning, and other governmental regulation.

Grantor states that he is the only true and lawful owner of the property and has all rights to convey the Conveyed Property to the Grantee as aforesaid.

Signature Page Follows

IN WITNESS WHEREOF, Grantor has caused his name to be subscribed hereto to execute this instrument on behalf of himself this 3rd day of March, 2016.

Signed and acknowledged in the presence of:

CHRISTOPHER B. STOUT

Clay A. Gouch
Witness

Christopher B. Stout

Jerry Biggs
Witness

State of Ohio :
County of Franklin SS.

The foregoing instrument was acknowledged before me this 3rd day of March, 2016 by Christopher B. Stout on behalf of himself.

John Talantino
Notary Public

This Instrument was prepared by:

Tracy L. Bradford
Law Director, City of Hilliard, Ohio
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2445



John Talantino
Notary Public, State of Ohio
My Commission Expires 12-07-2016



SCIOTO LAND SURVEYING SERVICE

173 North Sandusky Street
Delaware, Ohio 43015

Phone: 740-369-7577
FAX: 740-362-7577

Surveyors
Karen S. Coffman, P.S. 7845
Istvan Gajary, P.S. 8183
Retired, Frank Cello, P.S. 6612

Description of a 0.022 acre tract
for Christopher B. Stout

November 16, 2015

Situated in the City of Hilliard, County of Franklin, State of Ohio, being part of Virginia Military Survey Number 2417, and being part of an original 0.749 acre tract conveyed to Christopher B. Stout in Instrument Number 201508190115738 and being more particularly described as follows:

COMMENCING at FCGS Monument #6665 RESET located at the intersection of the centerlines of Hilliard-Rome Road and Roberts Road;

thence along the said centerline of Hilliard-Rome Road **North 03° 09' 37" East 2384.01 feet**;

thence continuing along the said centerline of Hilliard-Rome Road **North 02° 39' 46" East 100.56 feet**, being the southeast corner of a 0.122 acre tract conveyed to the City of Hilliard in Instrument Number 200707120122491;

thence along the south line of the said 0.122 acre tract, and along the north line of a 0.032 acre tract conveyed to the City of Hilliard in Instrument Number 200508310180060 **North 86° 43' 48" West 43.01 feet** to a 5/8" Iron bar found (SLSS), being the **TRUE POINT OF BEGINNING**;

thence along the said north line of the 0.032 acre tract **North 86° 43' 48" West 7.00 feet** to an Iron bar set, being the northeast corner of Lot 60 of Sutton Place Section 2, as delineated in Plat Book 80, Page 45;

thence **North 02° 39' 46" East 134.38 feet** to an Iron bar set, being on the south line of a 0.800 acre tract conveyed to 2899 Hilliard Rome, LLC in Instrument Number 200705240090909;

thence along the south line of the said 0.800 acre tract **South 86° 54' 01" East 7.00 feet** to a 5/8" iron bar found (ODOT), being the northwest corner of the aforesaid 0.122 acre tract;

thence along the west line of the said 0.122 acre tract, also being the existing west right-of-way line of Hilliard-Rome Road **South 02° 39' 46" West 134.41 feet** to the **TRUE POINT OF BEGINNING**;

containing 0.022 acres, there being approximately 0.014 acres in Parcel Number 050-002927 and approximately 0.008 acres in Parcel Number 050-002928;

subject to all easements, restrictions, and rights-of-way, if any, of record;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7845 on November 16, 2015. Basis of bearings is the west right-of-way line of Hilliard-Rome Road (South 02° 39' 46" West), as described in Instrument Number 200707120122491. All Iron bars set are 5/8" in diameter and are set with a plastic cap marked "SLSS PS 7845".

0-62-D
Split
0.014 acre
out of
(050)
2927
+
Split
0.008 acre
out of
(050)
2928

KSC
Karen S. Coffman, Surveyor
Registration No. 7845



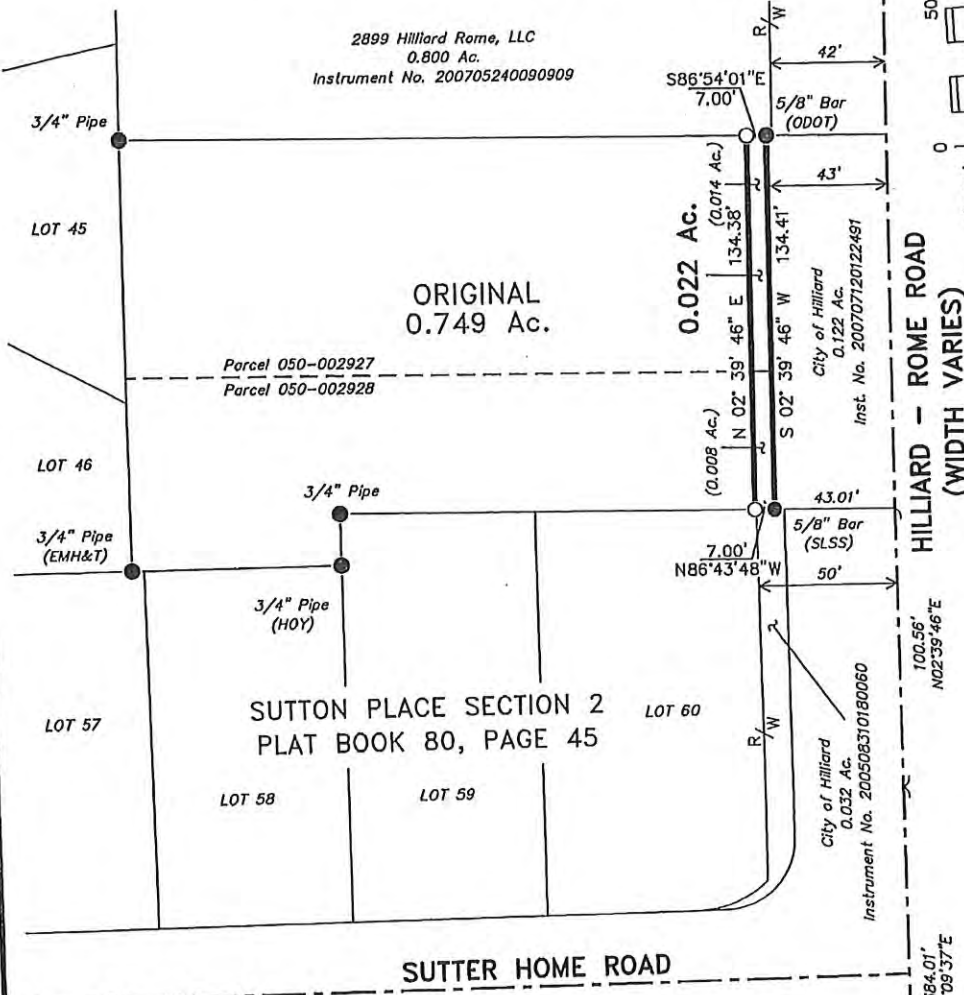
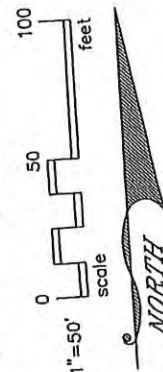


SCIOTO LAND SURVEYING SERVICE, INC.

173 North Sandusky Street Delaware, Ohio 43015 740.369.7577 karen@scioto Landsurveying.com

PLAT OF SURVEY FOR CHRISTOPHER B. STOUT PART OF VIRGINIA MILITARY SURVEY NO. 2417, CITY OF HILLIARD, FRANKLIN COUNTY, OHIO ORIGINAL 0.749 Ac. INSTRUMENT NO. 201508190115738

RECORDS USED
Deeds and Plats
as shown.



LEGEND

- Iron Bar or Pipe Found
- 5/8" Iron Bar Set with a cap marked "SLSS PS 7845"

BASIS OF BEARINGS

West Right-of-Way of Hilliard Rome Road (S 2° 39' 46" W) per Inst. No. 200707120122491

ROBERTS ROAD
FCGS #6665 RESET

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT SAID SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ROAD RIGHT-OF-WAY IS ASSUMED AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY UNLESS OTHERWISE NOTED. EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY, IF ANY, NOT LOCATED UNLESS NOTED.

K S Coffman
KAREN S. COFFMAN, SURVEYOR
Registration No. 7845

NOVEMBER 16, 2015
DATE OF SURVEY



CASE 4: BZA-22-40 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD

PARCEL NUMBER: 050-002824

APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.

REQUEST: Review and approval of a variances to Hilliard Code Section 1127.04 to approve a comprehensive site parking plan for a two-story, 3,240-square-foot building addition on 0.44-acre.

UPDATE:

At the request of the applicant, the PUD final development plan review by the Planning and Zoning Commission (PZ-22-43) and the parking variance request (BZA-22-40) to this Board was postponed to January 2023. The Planning and Zoning Commission reviewed the final development plan application on January 12, 2023, and the Record of Action has been included within the meeting packet for reference. The Commission approved the final development plan and architecture (6-0).

BACKGROUND:

The site consists of approximately 0.44-acre located at the southwest corner of Cemetery Road and Lacon Road and includes Lot 230 and Lot 231 of the original Easthill Acres subdivision plat. Both lots were combined within the last two years. The site has an existing 3,861-square-foot retail building, which Franklin County Auditor records indicate was constructed in 1980. To the west are commercial properties and to the south are single-family residences all zoned PUD as part of the “Cemetery Road Properties Located Between Leap & Lacon Roads” Concept Plan. To the east, across Lacon Road, are commercial properties zoned M-1, Restricted Industrial District. To the north across Cemetery Road is a church zoned B-3, Office/Institutional District, and additional commercial properties zoned B-2, Community Business District. City Council recently adopted Ordinance 22-31 (effective November 26, 2022) to rezone the northern half of the site from B-1, Neighborhood business District to PUD, Planned Unit Development District. City Council also adopted Resolution 22-R-97 on November 28, 2022, approving PUD text modifications for setbacks and other related standards that were recommended by the Commission in August 2022.

The applicant is requesting approval of a parking variance to permit an alternative parking plan for employee spaces that do not meet Zoning Code requirements for placement and configuration.

CONSIDERATIONS:

- **Site Access.** The site has approximately 62 feet of frontage along Cemetery Road, and approximately 180 feet of frontage along Lacon Road. The existing building has an access point on Cemetery Road and a second on Lacon Road (both at the intersection). A third curb cut is located along Lacon Road near the southern property line and is the former access for a residence that was demolished.
- **Right-of-way.** The Franklin County Recorder’s Office notes that in 2017, the City acquired a sliver of additional right-of-way at the corner of Cemetery Road and Lacon Road for public improvements associated with the intersection. The deed was transferred on December 7, 2017. Additional right-of-way along Cemetery Road consistent with the Thoroughfare Plan was not acquired in 2017 due to the timing issues.
- **Thoroughfare Plan.** The Thoroughfare Plan identifies Cemetery Road between Leap Road and Britton Parkway as a Major Arterial (four-lane roadway with 2 through lanes in each direction and either a center left-turn lane or separate left-turn lanes at driveways and intersections). The Plan recommends a minimum 100-foot-wide right-of-way at this location, but the site has only 40 feet of right-of-way from centerline along its Cemetery Road frontage. ***An additional 10 feet of right-of-way along Cemetery Road is necessary to facilitate bike path improvements.***

- **Public Improvements.** Based on available federal funding opportunities, the City has unofficially received ±\$7 million from a MORCP Attributable Grant to install the Cemetery Road bikepath between Britton Parkway and Trueman Boulevard across I-270. The City also initiated applications for additional SS4A funding to extend the project from Britton Parkway to Leap Road but because right-of-way was not provided from this final property, the application was not submitted. This segment of the path from Britton Parkway to Leap Road will not be programmed until the final piece of right-of-way is provided It would permit bicycle connectivity from Leap Road to Trueman Boulevard and north beyond Davidson Road on both Trueman Boulevard and Britton Parkway.
- **Parking.** The minimum number of required parking spaces for the site is 13 based on the proposed plans. The plan provides the required number of spaces but includes two spaces double-stacked at the rear of the building and one space along the west elevation of the building with restricted access. The applicant is requesting a variance to utilize those spaces for employee parking. The Board has granted a similar request in the past, and staff finds that this plan would function sufficiently with the expectation that **parking is brought into full compliance as part of additional development to the south.**
- **Bicycle Parking.** The site is located along Cemetery Road which is a special pedestrian sub-district in the Zoning Code that emphasizes pedestrian and bicycle accommodations. Section 1127.02(i) of the Code permits a reduction of required vehicle parking by one space for each four designated bicycle parking spaces (up to a maximum of 20% of the required vehicle spaces). **The applicant could reduce the required number of spaces on the site by installing bicycle facilities, thereby reducing the variance requested.**
- **Pavement Setbacks.** Improvements to the site have been completed in recent years while maintaining pavement adjacent to both the Cemetery Road sidewalk and Lacon Road sidewalk. Additional pavement is located within setbacks along the side property line. As part of improvements, **pavement should be reduced as much as practicable to bring the site into further compliance with the Code.**
- **Accessible Spaces.** **Code requires one van-accessible space based on the total number of required spaces and the parking layout must adhere to federal requirements.**
- **Trash Collection.** Over the past few years, enforcement issues have occurred with trash, recycling and debris not being addressed in accordance with the Property Maintenance Code. The Codified Ordinances also do not permit trash from businesses to be collected at a residence such as the one to the south owned by the applicant. **Staff recommends that a suitable solution for waste management be provided on-site and that a fence permit is obtained for required screening.**

STAFF RECOMMENDATION:

Staff finds that the proposed parking plan will provide a suitable short-term solution to bring the site into further compliance with the Zoning Code while encouraging the growth of small business. Staff finds that the requested variance, as amended below, will not impact the essential character of the surrounding area, meeting the spirit and intent of the Code. Based on these findings, staff recommends approval of the requested parking plan with the following five conditions:

- 1) That the inclusion of bicycle facilities is encouraged to reduce required vehicular parking spaces;
- 2) That provision of additional right-of-way consistent with the Thoroughfare Plan is highly encouraged to facilitate public improvements that would benefit the development;
- 3) That the parking lot layout is brought into full compliance with the Zoning Code as much as practicable as part of any future expansion and/or development of the remainder of the site;
- 4) That unnecessary pavement areas be removed as part of the improvements, subject to staff approval; and
- 5) That an appropriate solution for commercial trash collection and required screening be provided to the satisfaction of staff and that a fence permit is obtained;

[END OF REPORT | BZA-22-40]

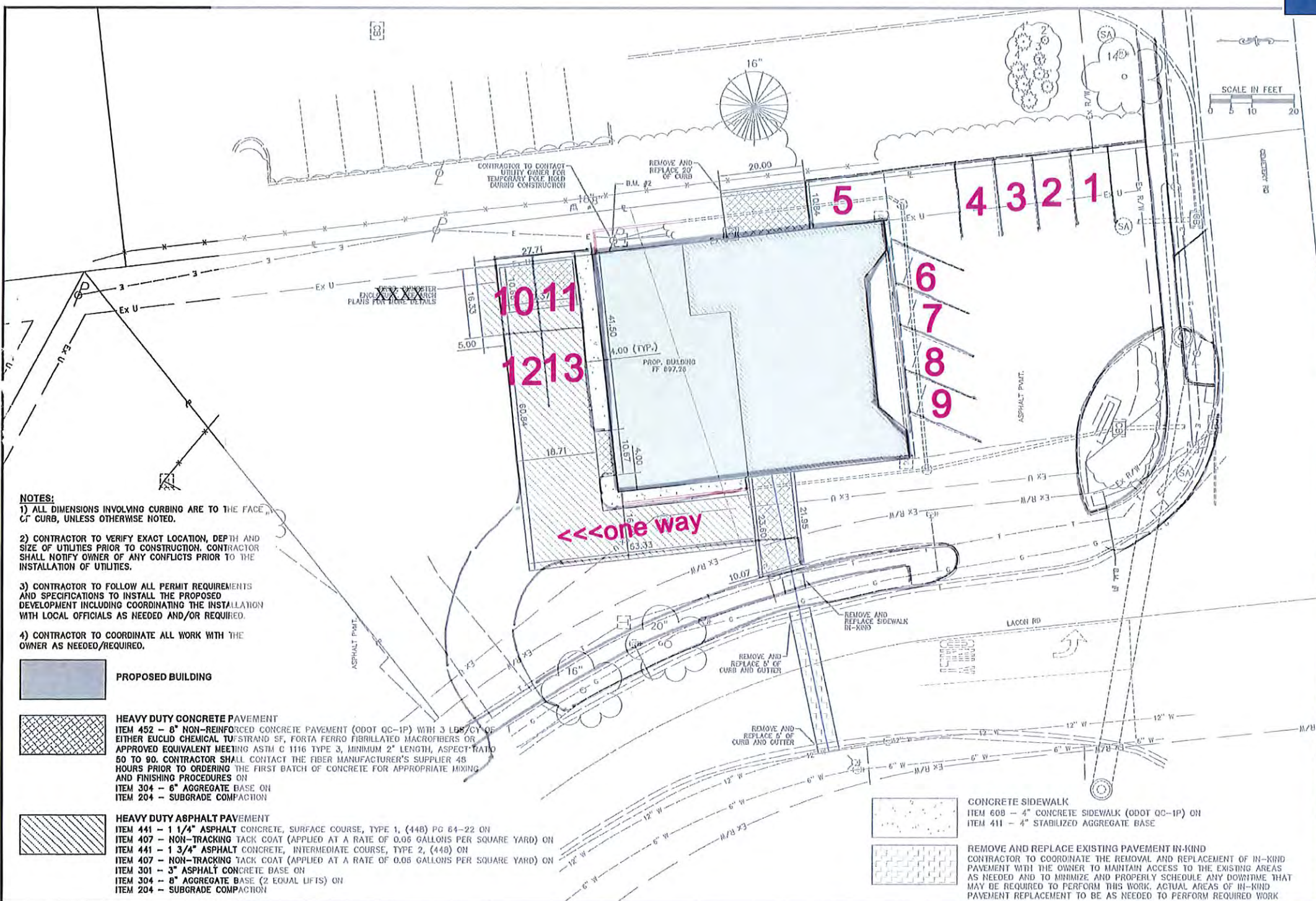
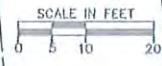




SAINT, OHIO 43071-4701
 LYNDALES, OHIO 43123-2554
 WWW.CHOICEENGINEERING.COM

COLORADO MOUNTAIN SPORTS
 CITY OF HILLARD
 DIMENSIONING AND PAVEMENT PLAN

REVISIONS:
FILE NAME: EMDNSW
DRAWN BY: JAC
CHECKED BY: JSP
PROJECT NO: FRMHL2702
DATE: 6-30-2022
SHEET NUMBER: 6 OF 9





Construction of
COLORADO MTN SPORTS
 4445 Cemetery Rd. Hilliard, OH 43026

Prepared for
MARKER

Issued For:
PERMIT

Issued Date:
JULY 1, 2022

ARCHITECT:
 The Columbus Architectural Studio
 405 N Front Street
 Columbus, OH 43215

CIVIL ENGINEER:
 Choice One Engineering
 440 E. Hoewisher Rd
 Sidney, OH 45365

STRUCTURAL ENGINEER:
 Jezerinac Geers & Associates
 5640 Frantz Road
 Dublin, OH 43017

PLUMBING & MECHANICAL ENGINEER:
 Regal Mechanical
 3735 Paragon Dr.
 Columbus, OH 43226

ELECTRICAL ENGINEER:
 Romanoff Group
 1288 Research Rd.
 Gahanna, OH 43230

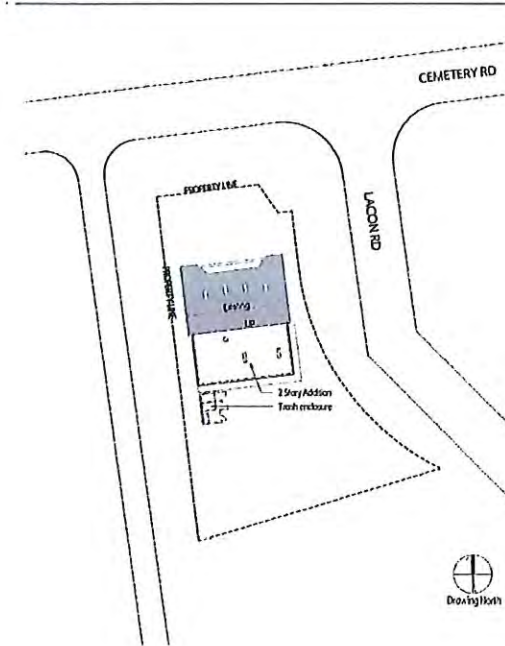
PROJECT SCOPE

Renovation and addition to existing retail space. The changes include but are not limited to adding sprinklers throughout, removing a 1 story shed addition on rear and adding a 2 story addition connecting existing and new spaces. Removing the existing East stairways which are steep, and replacing with wider compliant stairs for staff and public. Replacing existing exterior stair to basement storage with wider stair now on interior. Remove existing restrooms and provide an ADA restroom.

VICINITY MAP



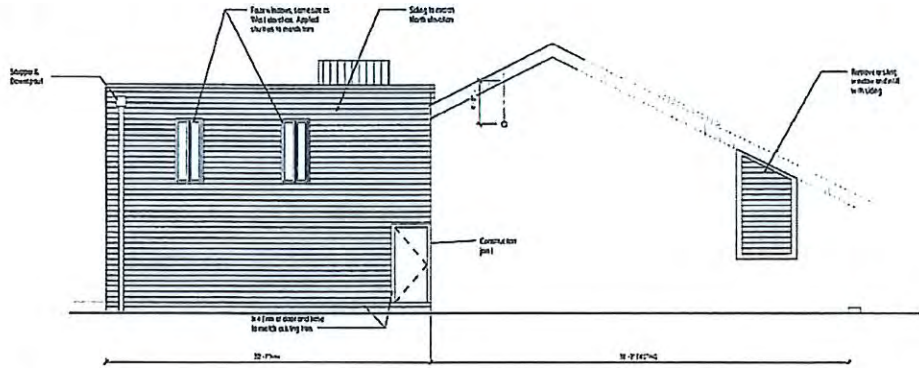
LOCATION MAP



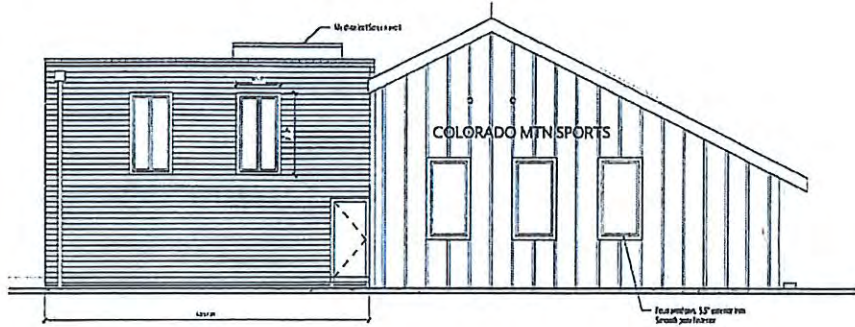
SHEET LIST

Sheet Number	Sheet Name
00 GENERAL	
G000	COVER
G201	LIFE SAFETY
01 CIVIL	
C1	TITLE SHEET
C2	GENERAL NOTES
C3	GENERAL NOTES
C4	GENERAL DETAILS
C5	DEMOLITION PLAN
C6	DIMENSIONS AND PAVEMENT PLAN
C7	UTILITY PLAN
C8	GRADING AND EROSION CONTROL PLAN
C9	PAVEMENT ELEVATIONS PLAN
02 ARCHITECTURE	
A001	SYMBOLS & ABBREVIATIONS
A002	TYPICAL MOUNTING LOCATIONS
A003	ADA REQUIREMENTS & DETAILS
A010	WALL TYPES
A015	DOOR SCHEDULE
A200	BASEMENT FLOOR PLANS
A201	FIRST FLOOR PLANS
A202	SECOND FLOOR PLANS
A203	ROOF PLAN & DETAILS
A301	EXTERIOR ELEVATIONS
A302	BUILDING SECTIONS
A401	WALL SECTIONS & DETAILS
A601	STAIRS
A701	REFLECTED CEILING PLANS
A810	INTERIOR ELEVATIONS
A850	INTERIOR DETAILS
A900	FINISHES
AD201	DEMO PLAN
03 STRUCTURE	
S001	GENERAL STRUCTURE INFORMATION
S002	GENERAL STRUCTURE INFORMATION
S101	FOUNDATION & FIRST FLOOR FRAMING PLANS
S102	SECOND FLOOR & ROOF FRAMING PLANS
S301	FOUNDATION DETAILS
S310	FRAMING DETAILS
S311	FRAMING DETAILS
04 MECHANICAL	
M01	HVAC SCHEDULE AND DETAILS
M05	BASEMENT HVAC PLAN
M10	FIRST FLOOR HVAC PLAN
M20	SECOND FLOOR HVAC PLAN
M30	ROOF HVAC PLAN
05 PLUMBING	
PO1	PLUMBING SCHEDULES AND DETAILS
PI0	PLUMBING PLANS
06 ELECTRICAL	
.SU-1	ELECTRICAL SITE UTILITY PLAN
E100	FIRST FLOOR LIGHTING PLAN
E102	SECOND FLOOR LIGHTING PLAN
E201	FIRST FLOOR POWER PLAN
E202	SECOND FLOOR POWER PLAN
E300	RISER DIAGRAM AND PANEL SCHEDULES

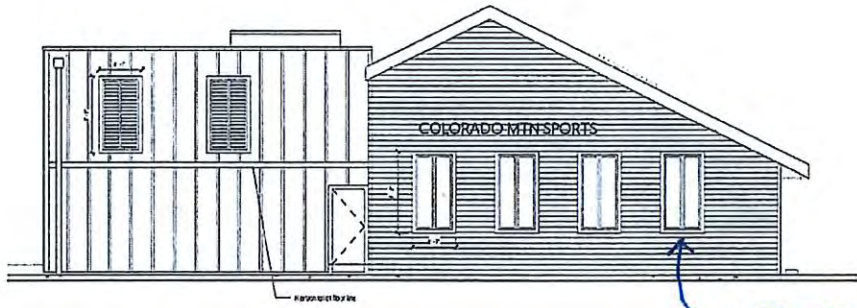
EAST ELEVATION OPTIONS



1 EAST ELEVATION - SIDING
SCALE: 3/8" = 1'-0"

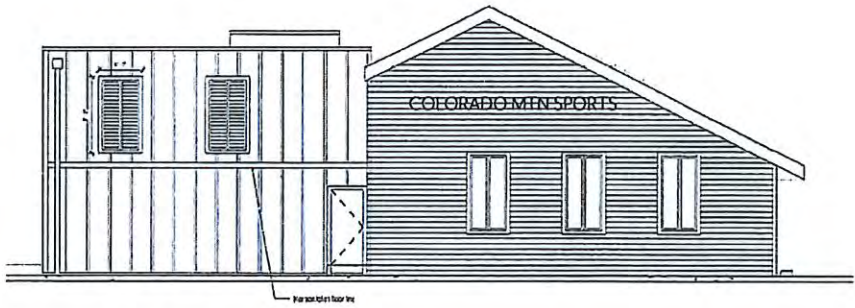


2 EAST ELEVATION Option 2
SCALE: 3/8" = 1'-0"



* 3 EAST ELEVATION Option 3a
SCALE: 3/8" = 1'-0"

MARKER * PREFERRED OPTION



3 EAST ELEVATION Option 3b
SCALE: 3/8" = 1'-0"

COLORADO MTN SPORTS
EXTERIOR REVISIONS

November 28, 2022

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COLORADO MTN SPORTS

4415 Conroy Rd Hilliard, OH 43026

MARKER.

Chris Marker
Address: 200 Riverchase Dr, Columbus, OH 43210

The Columbus ARCHITECTURAL STUDIO

405 Hiram St
Columbus, OH 43205

Ted Dorsetzer
Ted@tathere.com

STRUCTURAL ENGINEERS
Jesse Ho Gress & Associates
6640 Franz Rd
Dublin, OH 43017
614.769.0998

MECHANICAL & PLUMBING
Popek Plumbing & Heating Co.
3735 Paragon Dr
Hilliard, OH 43029
614.868.8905

CIVIL ENGINEERS
Circle One Engineering
440 E. Honesdale Rd
Blythe, OH 43065
614.497.0200

ELECTRICAL ENGINEER
Pomeroy Electric
12218 Henschel Road
Gahanna, OH 43230

△ Date Description

Issued For / Date
Permit / 3/1/2022

Seal / Signature



Able S Gera, License #1817261
Expiration Date 12/31/2022

Project Name
COLORADO MTH SPORTS

Project Number
21-009

Scale
As Indicated

Description

EXTERIOR ELEVATIONS

A301

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ELEVATION - GENERAL NOTES

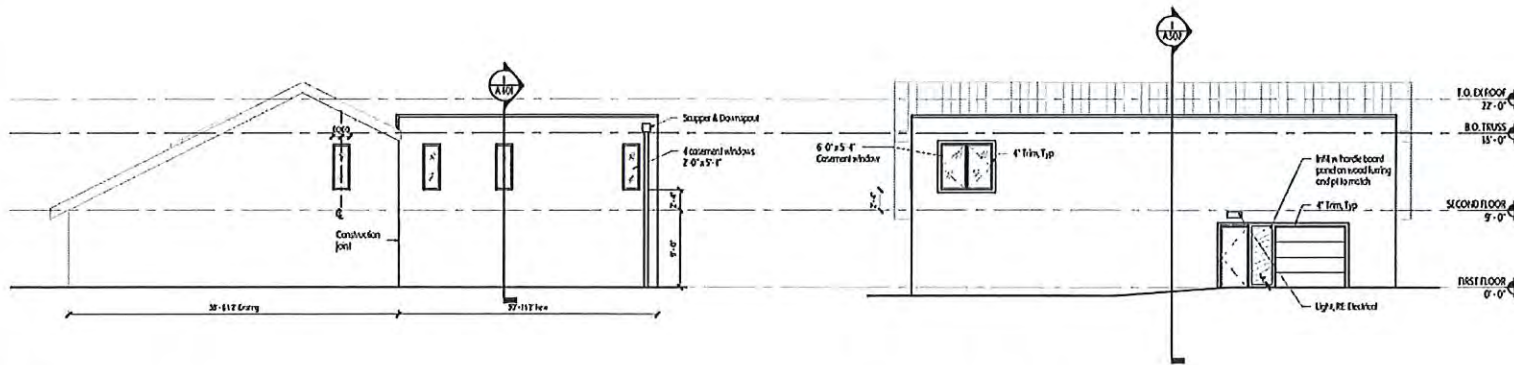
- All MFR elements shall be ordered to meet and check all elements and/or aligned with the design build courtesy of the noted contractor.
- All color, level, or other conditions shall be noted on elevations, and shall be noted on the general notes and shall prevail.

EXTERIOR MATERIALS SUMMARY

IG-1	DIETSON CLEAR VISION GLASS Double glazed insulating See manufacturer for selections
HD Trim Material Dimensions Finish	Hard Board Trim to match existing on both facade Composite Wood 1/2" to 1" x 4" or 6" Painted to match or prefinished
PF-1 Color Location	PAINT SW7000C Trim
PF-3 Stucco Color Location	PAINT over Stucco system SW7000C Trim

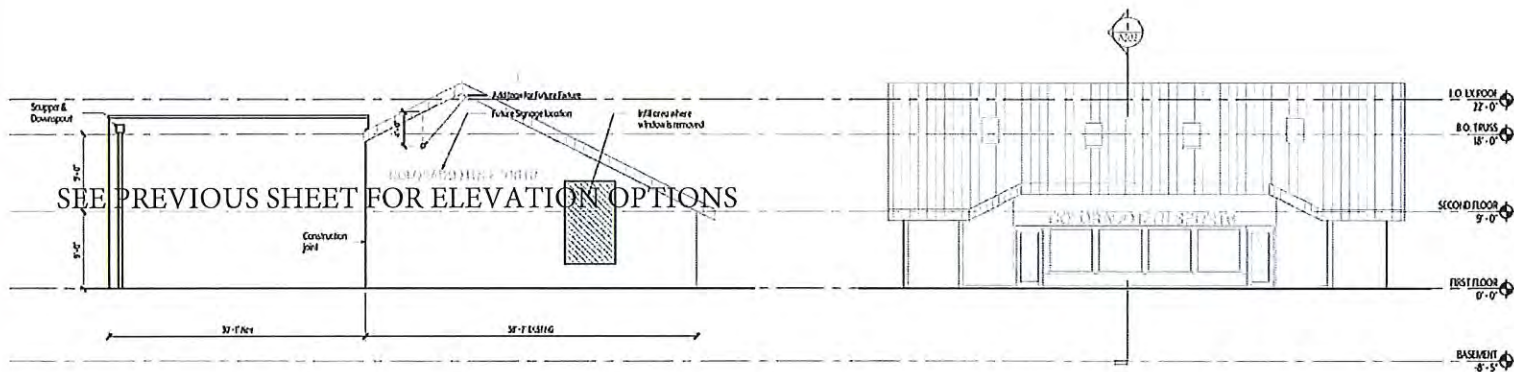
EXTERIOR MATERIALS LEGEND

	IG-1 Clear Glass, Low E
	Stucco
	Hard Board



4 WEST ELEVATION
SCALE: 1/8"=1'-0"

3 SOUTH ELEVATION
SCALE: 1/8"=1'-0"



2 EAST ELEVATION
SCALE: 1/8"=1'-0"

1 NORTH ELEVATION - EXISTING
SCALE: 1/8"=1'-0"



↑
SMOOTH STUCCO

← HORIZONTAL SIDING
"BOARD AND BATTEN" SIDING

The addition could be a mix of this nice smooth (rich looking) stucco. We would still have the shiplap siding on the front part as well. The other picture (to the right) would be the first choice, but I'm sure this will be very spendy!

Thanks,

COLORADO MTN SPORTS
ERIC BAHGAT
4445 CEMETERY RD.
HILLIARD, OH 43026
614.459.6666

**COLORADO
MTN SPORTS**

4115 Cometary Rd. Highland, OH 43026

MARKER.

Client: Marker
Address: 2011 Riverside Dr., Columbus, OH 43221

**ColumbusTM
ARCHITECTURAL STUDIO**

465 H. Frank St.
Columbus, OH 43205 Tel: Do not enter
For: Test here

STRUCTURAL ENGINEERS
Jazzmine Green & Associates
6240 Frank Rd.
D.A.S., OH 43017
614.768.058

MECHANICAL & PLUMBING
Ruff Plumbing & Heating Co.
3735 Parsippany Dr.
Highland, OH 43028
614.838.8905

CIVIL ENGINEERS
Chowen Engineering
419 E. Goodwin Blvd.
Edinboro, OH 45525
937.497.0200

ELECTRICAL ENGINEER
Pomeroy Design
1218 Research Road
Gahanna, OH 43230

△ Date Description

Issue # / Date
Form # / July, 2022

Seal / Signature



Abba S. Green, License # 81917281
Expiration Date 12/31/2022

Project Name
COLORADO MTH SPORTS

Project Number
22-009

Scale
As Indicated

Description

LIFE SAFETY

G201

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GENERAL NOTES

1 Room occupancy will typically be evenly distributed when more than one exit exists

CODE INFORMATION

REFERENCE CODES
2022 IBC FOR BUILDING CODE WITH LATEST AND RELEVANT UPDATES AS ISSUED BY THE STATE OF OHIO
ICC AHJ 2009 ACCESSIBLE AND USABLE BUILDING FACILITIES

DF11 OCCUPANCY
M Mercantile
B Business, offices for Mercantile

Accessory and incidental occupancies per section 503.2

DF15 FIRE RESISTANCE
1.6.4.5.01.1.1 Mercantile, Type V8 Sprinkler can be 2 stories

Allowable height 7 stories, 60ft
Allowable height 2 stories, 100ft (approximate)

Allowable Area / Floor
1st 35,000 sq ft
2nd 20,000 sq ft

Room/Area	Existing	New	Total
Basement	1,514	0	1,514
First Floor	2,110	1,540	3,650
Second Floor	913	1,700	2,613
Total	4,537	3,240	7,777

For Basement area COC 506.6.3

DF16. TIME OF CONSTRUCTION
503 Construction Type V8, no rating required

DF17 FIRE RESISTANCE
Elevator Walls SECTION 505.4
Horizontal Separation Walls are 200 Separation Distance
Elev and Vent Walls are 10-150 Hours R.O.W., Sprinklered 45% Openings allowed

DF18 ACCESSIBILITY
801.4 Elevators are not required on the second floor if less than 3000 sq ft, exception 1

DF19 EGRESS
500.3 Egression 3 does not require separate location for occupancy under IBC. First floor egress routes serve entire space.
Second floor egress routes serve private office space.

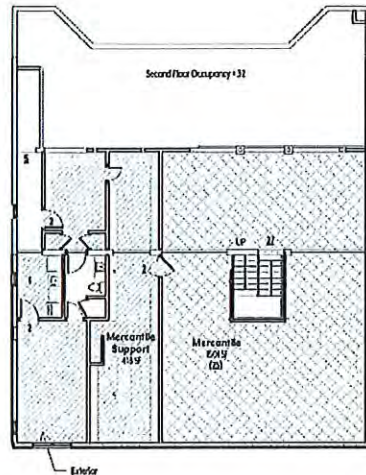
DF21 EXISTING BUILDINGS
3101.1 Exception 1 & 3 does not require a risk assessment and floor or ceiling to be updated if prohibited

GENERAL NOTES

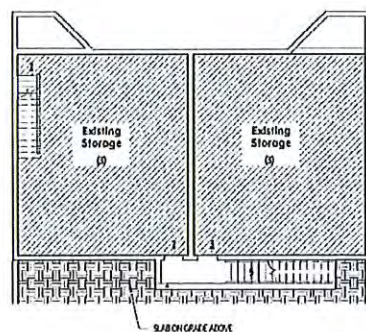
OCCUPANT LOAD FACTORS		ELEVATOR FACTORS	
Mercantile	60 Gross	Stair	2/person
Mercantile Stair	300 Gross	Other	35/person
Mercantile Office	100 Gross		

DIMENSIONS	
0	Total number of occupants existing
0	Allowable number of occupants
0.0'	Exit width in decimal feet

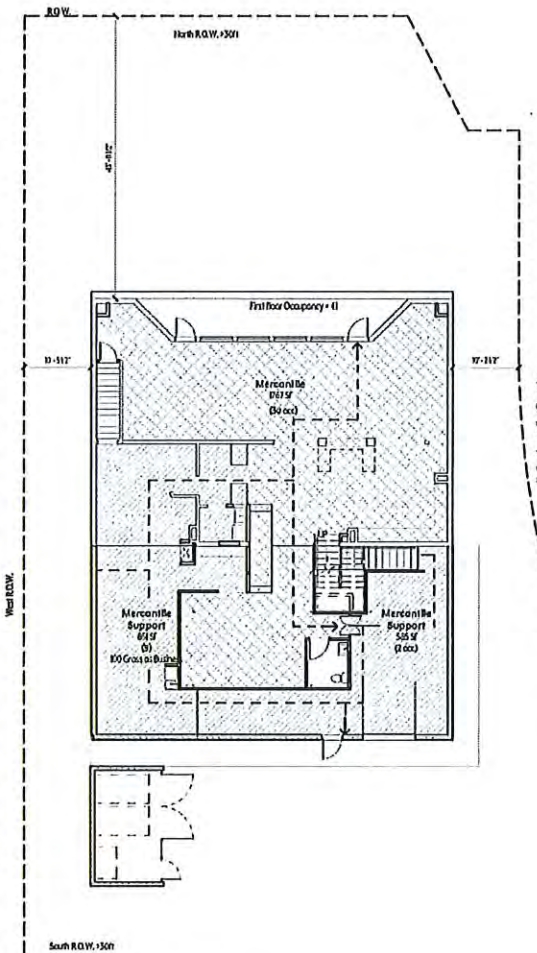
IF 10-115 Fire on firefighters will be used
marked on levels. All to confirm final
location with owner.



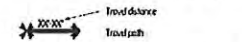
2 LIFE SAFETY - LEVEL 02
SCALE: 3/32" = 1'-0"



3 LIFE SAFETY - BASEMENT
SCALE: 3/32" = 1'-0"



1 LIFE SAFETY - LEVEL 01
SCALE: 3/32" = 1'-0"





CHOICE ONE ENGINEERING
 197.467.2000
 312.224.2604
 WWW.CHOICEONEENGINEERING.COM

COLORADO MOUNTAIN SPORTS
 CITY OF HILLARD
 DEMOLITION PLAN

REVISIONS:
FILE NAME DEMOLITION
DRAWN BY JAC
CHECKED BY JSP
PROJECT No. FRAH1202
DATE 6-30-2022
SHEET NUMBER 5 OF 9

LEGEND

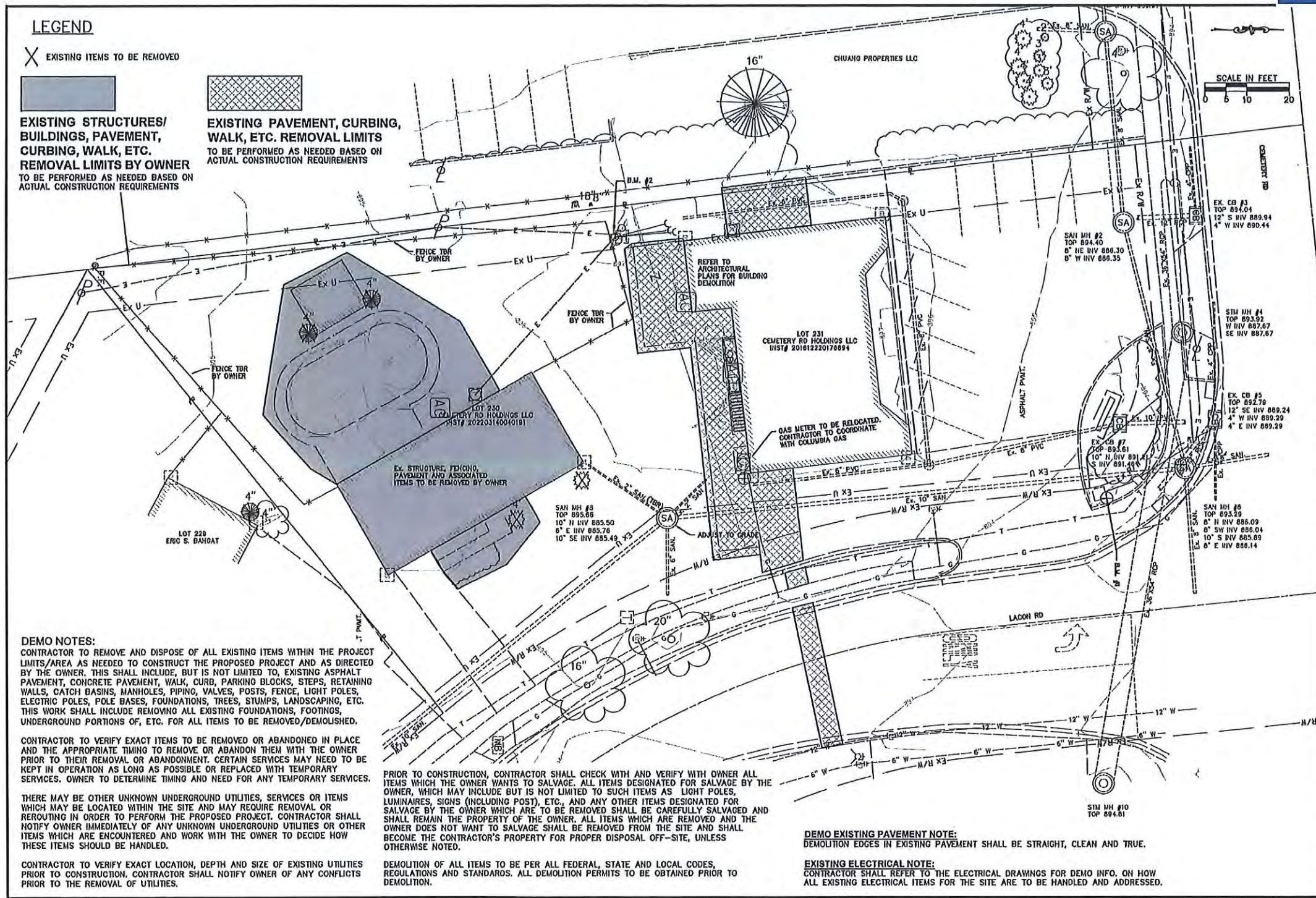
X EXISTING ITEMS TO BE REMOVED



EXISTING STRUCTURES/
 BUILDINGS, PAVEMENT,
 CURBING, WALK, ETC.
 REMOVAL LIMITS BY OWNER
 TO BE PERFORMED AS NEEDED BASED ON
 ACTUAL CONSTRUCTION REQUIREMENTS



EXISTING PAVEMENT, CURBING,
 WALK, ETC. REMOVAL LIMITS
 TO BE PERFORMED AS NEEDED BASED ON
 ACTUAL CONSTRUCTION REQUIREMENTS



DEMO NOTES:

CONTRACTOR TO REMOVE AND DISPOSE OF ALL EXISTING ITEMS WITHIN THE PROJECT LIMITS/AREA AS NEEDED TO CONSTRUCT THE PROPOSED PROJECT AND AS DIRECTED BY THE OWNER. THIS SHALL INCLUDE, BUT IS NOT LIMITED TO, EXISTING ASPHALT PAVEMENT, CONCRETE PAVEMENT, WALK, CURB, PARKING BLOCKS, STEPS, RETAINING WALLS, CATCH BASINS, MANHOLES, PIPING, VALVES, POSTS, FENCE, LIGHT POLES, ELECTRIC POLES, POLE BASES, FOUNDATIONS, TREES, STUMPS, LANDSCAPING, ETC. THIS WORK SHALL INCLUDE REMOVING ALL EXISTING FOUNDATIONS, FOOTINGS, UNDERGROUND PORTIONS OF, ETC. FOR ALL ITEMS TO BE REMOVED/DEMOLISHED.

CONTRACTOR TO VERIFY EXACT ITEMS TO BE REMOVED OR ABANDONED IN PLACE AND THE APPROPRIATE TIMING TO REMOVE OR ABANDON THEM WITH THE OWNER PRIOR TO THEIR REMOVAL OR ABANDONMENT. CERTAIN SERVICES MAY NEED TO BE KEPT IN OPERATION AS LONG AS POSSIBLE OR REPLACED WITH TEMPORARY SERVICES. OWNER TO DETERMINE TIMING AND NEED FOR ANY TEMPORARY SERVICES.

THERE MAY BE OTHER UNKNOWN UNDERGROUND UTILITIES, SERVICES OR ITEMS WHICH MAY BE LOCATED WITHIN THE SITE AND MAY REQUIRE REMOVAL OR REROUTING IN ORDER TO PERFORM THE PROPOSED PROJECT. CONTRACTOR SHALL NOTIFY OWNER IMMEDIATELY OF ANY UNKNOWN UNDERGROUND UTILITIES OR OTHER ITEMS WHICH ARE ENCOUNTERED AND WORK WITH THE OWNER TO DECIDE HOW THESE ITEMS SHOULD BE HANDLED.

CONTRACTOR TO VERIFY EXACT LOCATION, DEPTH AND SIZE OF EXISTING UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY OWNER OF ANY CONFLICTS PRIOR TO THE REMOVAL OF UTILITIES.

PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CHECK WITH AND VERIFY WITH OWNER ALL ITEMS WHICH THE OWNER WANTS TO SALVAGE. ALL ITEMS DESIGNATED FOR SALVAGE BY THE OWNER, WHICH MAY INCLUDE BUT IS NOT LIMITED TO SUCH ITEMS AS LIGHT POLES, LUMINAIRES, SIGNS (INCLUDING POST), ETC., AND ANY OTHER ITEMS DESIGNATED FOR SALVAGE BY THE OWNER WHICH ARE TO BE REMOVED SHALL BE CAREFULLY SALVAGED AND SHALL REMAIN THE PROPERTY OF THE OWNER. ALL ITEMS WHICH ARE REMOVED AND THE OWNER DOES NOT WANT TO SALVAGE SHALL BE REMOVED FROM THE SITE AND SHALL BECOME THE CONTRACTOR'S PROPERTY FOR PROPER DISPOSAL OFF-SITE, UNLESS OTHERWISE NOTED.

DEMOLITION OF ALL ITEMS TO BE PER ALL FEDERAL, STATE AND LOCAL CODES, REGULATIONS AND STANDARDS. ALL DEMOLITION PERMITS TO BE OBTAINED PRIOR TO DEMOLITION.

DEMO EXISTING PAVEMENT NOTE:

DEMOLITION EDGES IN EXISTING PAVEMENT SHALL BE STRAIGHT, CLEAN AND TRUE.

EXISTING ELECTRICAL NOTE:

CONTRACTOR SHALL REFER TO THE ELECTRICAL DRAWINGS FOR DEMO INFO. ON HOW ALL EXISTING ELECTRICAL ITEMS FOR THE SITE ARE TO BE HANDLED AND ADDRESSED.

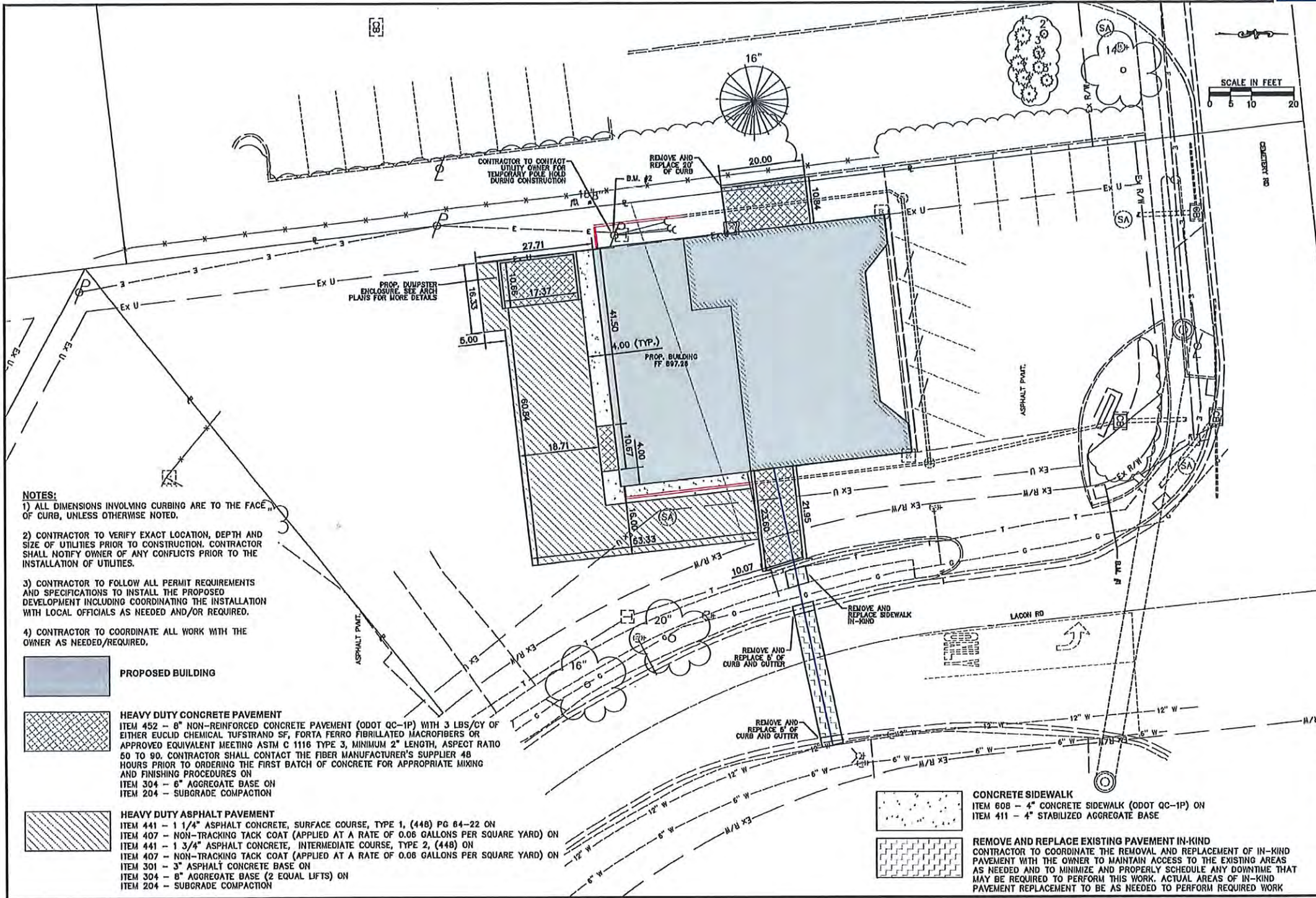
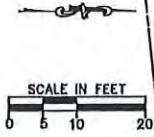


SOLE OFFICE: 107.477.0200
 LOVELAND, OHIO 45132.9254
 WWW.CHOICEONEENGINEERING.COM



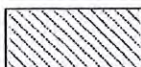
COLORADO MOUNTAIN SPORTS
 CITY OF HILLARD
 DIMENSIONING AND PAVEMENT PLAN

REVISIONS:

FILE NAME	DIMENSION
DRAWN BY	JAC
CHECKED BY	JSP
PROJECT NO.	FRAHL2202
DATE	6-30-2022
SHEET NUMBER	6 OF 9



- NOTES:**
- 1) ALL DIMENSIONS INVOLVING CURBING ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED.
 - 2) CONTRACTOR TO VERIFY EXACT LOCATION, DEPTH AND SIZE OF UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY OWNER OF ANY CONFLICTS PRIOR TO THE INSTALLATION OF UTILITIES.
 - 3) CONTRACTOR TO FOLLOW ALL PERMIT REQUIREMENTS AND SPECIFICATIONS TO INSTALL THE PROPOSED DEVELOPMENT INCLUDING COORDINATING THE INSTALLATION WITH LOCAL OFFICIALS AS NEEDED AND/OR REQUIRED.
 - 4) CONTRACTOR TO COORDINATE ALL WORK WITH THE OWNER AS NEEDED/REQUIRED.

-  PROPOSED BUILDING
-  HEAVY DUTY CONCRETE PAVEMENT
 ITEM 452 - 8" NON-REINFORCED CONCRETE PAVEMENT (ODOT QC-1P) WITH 3 LBS/CY OF EITHER EUCLID CHEMICAL TUFSTRAND SF, FORTA FERRO FIBRILLATED MACROFIBERS OR APPROVED EQUIVALENT MEETING ASTM C 1116 TYPE 3, MINIMUM 2" LENGTH, ASPECT RATIO 50 TO 90. CONTRACTOR SHALL CONTACT THE FIBER MANUFACTURER'S SUPPLIER 48 HOURS PRIOR TO ORDERING THE FIRST BATCH OF CONCRETE FOR APPROPRIATE MIXING AND FINISHING PROCEDURES ON
 ITEM 304 - 8" AGGREGATE BASE ON
 ITEM 204 - SUBGRADE COMPACTION
-  HEAVY DUTY ASPHALT PAVEMENT
 ITEM 441 - 1 1/4" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, (448) PG 64-22 ON
 ITEM 407 - NON-TRACKING TACK COAT (APPLIED AT A RATE OF 0.06 GALLONS PER SQUARE YARD) ON
 ITEM 441 - 1 3/4" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, (448) ON
 ITEM 407 - NON-TRACKING TACK COAT (APPLIED AT A RATE OF 0.06 GALLONS PER SQUARE YARD) ON
 ITEM 301 - 3" ASPHALT CONCRETE BASE ON
 ITEM 304 - 8" AGGREGATE BASE (2 EQUAL LIFTS) ON
 ITEM 204 - SUBGRADE COMPACTION

-  CONCRETE SIDEWALK
 ITEM 608 - 4" CONCRETE SIDEWALK (ODOT QC-1P) ON
 ITEM 411 - 4" STABILIZED AGGREGATE BASE
-  REMOVE AND REPLACE EXISTING PAVEMENT IN-KIND
 CONTRACTOR TO COORDINATE THE REMOVAL AND REPLACEMENT OF IN-KIND PAVEMENT WITH THE OWNER TO MAINTAIN ACCESS TO THE EXISTING AREAS AS NEEDED AND TO MINIMIZE AND PROPERLY SCHEDULE ANY DOWNTIME THAT MAY BE REQUIRED TO PERFORM THIS WORK. ACTUAL AREAS OF IN-KIND PAVEMENT REPLACEMENT TO BE AS NEEDED TO PERFORM REQUIRED WORK

**COLORADO
MTN SPORTS**

4115 Cemetery Rd Hilliard, OH 43026

MARKER.

Clare Marker
Address: 201 Riverside Dr. Columbus, OH 43228

**The Columbus
ARCHITECTURAL STUDIO**

40511 Front St
Columbus, OH 43225

Tel: 614.291.1111
Fax: 614.291.1111

STRUCTURAL ENGINEERS
Jacobsen Group & Associates
5640 Frantz Rd
Dublin, OH 43017
614-769-0509

MECHANICAL & PLUMBING
Royal Plumbing & Heating Co.
3735 Paragon Dr
Hilliard, OH 43028
614-858-8905

CIVIL ENGINEERS
Choice One Engineering
410 E Heesbolder Rd.
Bridgeton, OH 43065
937-497-0500

ELECTRICAL ENGINEER
Pomeroy Electric
1288 Passaic Road
Gahanna, OH 43230

SHEET NOTES

- Refer to Sheet A200 for wall, window, and door types.
 - A. All interior partitions walls are type S1, U10.
 - B. All new exterior walls are type E1.
 - C. Existing exterior walls are to be modified as shown.
 - D. Ground level or ground level to be used at shower walls, except as indicated on wall of ADA restroom.
- All wall dimensions are to finished face, U10.
- Refer to Sheet A206 for doors, frames, and hardware.
- All doors shall include at least 3" clearance on either side of jamb for 3" meeting around door frame.
- All shower and dimension are through opening. Showered MG to account for shower and stool space.
- For footing type see A204.

CODED NOTES

- New opening in existing wall. Refer to Structural for details.
- W/4 existing opening.
- These points refer to change into existing refer to 7/20/12.

△	Date	Description

Issued For / Date

Permit / July 1, 2012

Seal / Signature



Able Steers, License #1817281
Expiration Date 12/31/2022

Project Name

COLORADO MTH SPORTS

Project Number

22-009

Scale

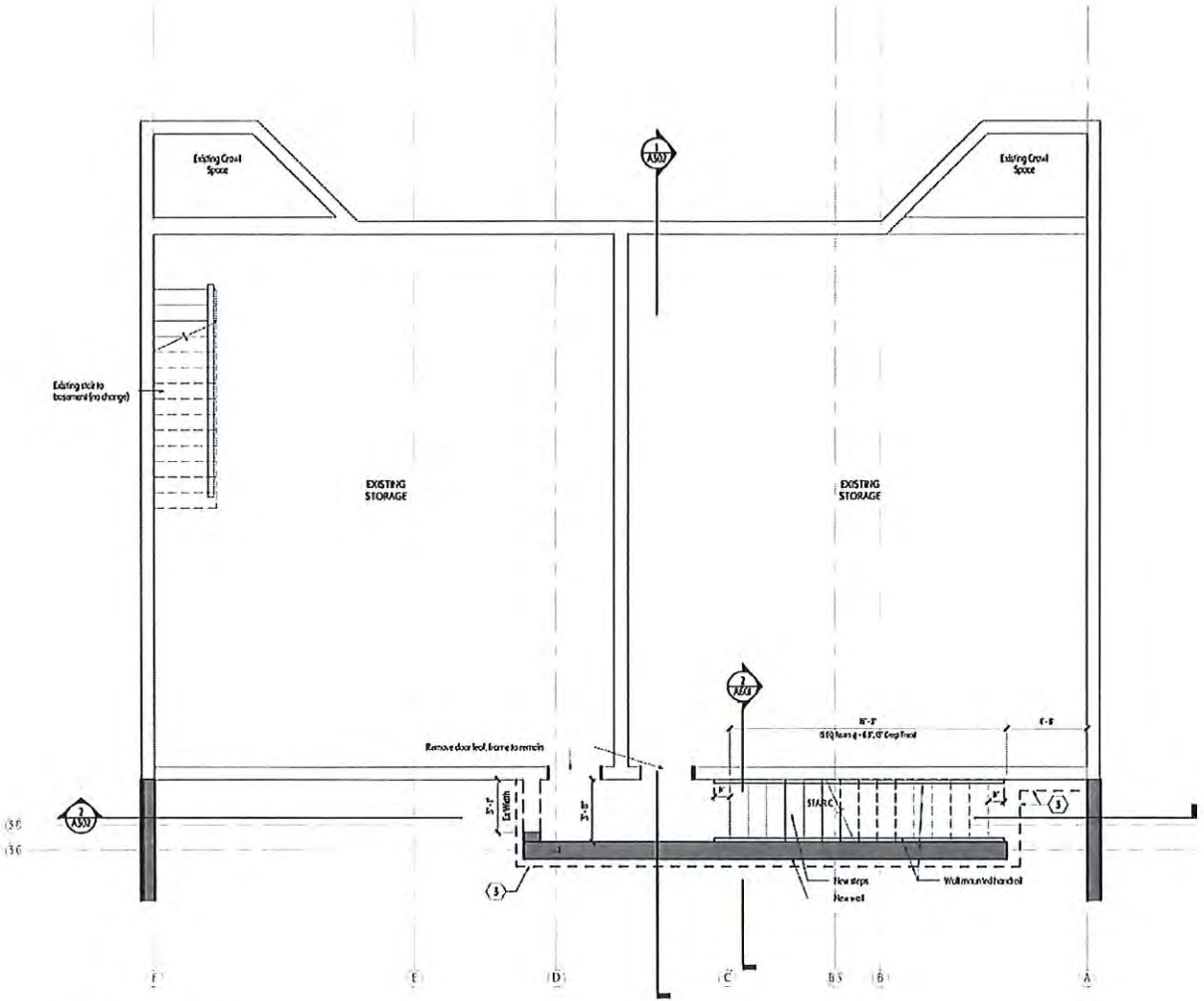
As Indicated

Description

BASEMENT FLOOR PLANS

A200

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1 BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

**COLORADO
MTN SPORTS**

4415 Conelley Rd Hilliard, OH 43026

MARKER.

Client: Marker
Address: 201 Riverside Dr., Columbus, OH 43221

The Columbus
ARCHITECTURAL STUDIO

46511 Front St Hilliard, OH 43026
Tel: Don Porter
Fax: Tom Hare

STRUCTURAL ENGINEERS: James G. Gura & Associates, 6540 Frazar Rd, Dublin, OH 43017, 614.766.098
MECHANICAL & PLUMBING: Royal Plumbing & Heating Co., 3735 Paragon Dr, Hilliard, OH 43026, 614.888.8908

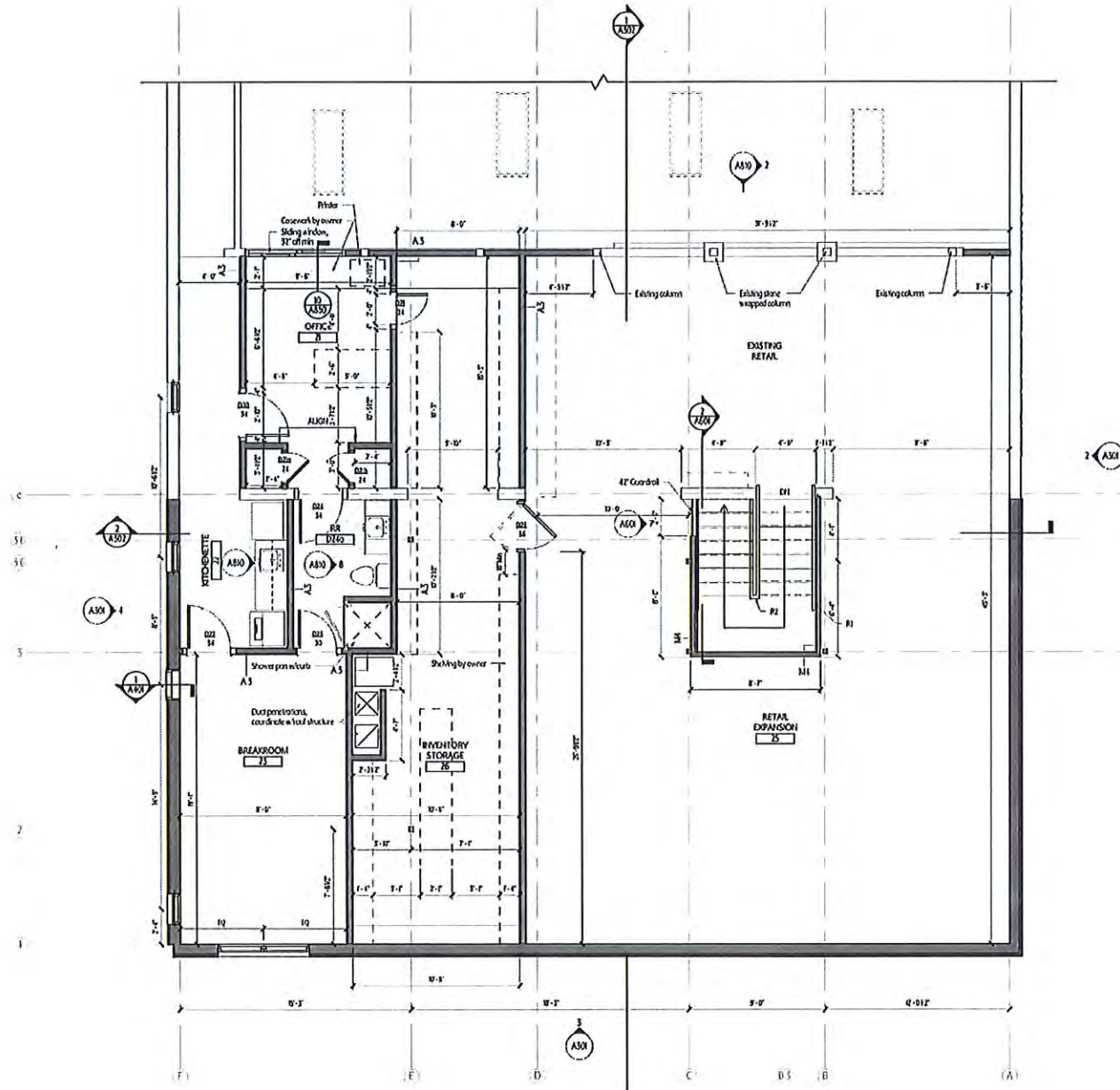
CIVIL ENGINEERS: Crook One Engineering, 410 E. Hovey Rd, Sidney, OH 45365, 937.497.0200
ELECTRICAL ENGINEER: Ramsell Electric, 1288 Research Road, Gahanna, OH 43230

GENERAL NOTES

1. Refer to Sheet A200 for partition and exterior wall types.
2. All wall dimensions are in finished face, UNO.
3. Refer to Sheet A205 for door, frame, and hardware.
4. All doors shall be minimum 3" clearance on either side of jamb for 3" marking around door frame.
5. All window dimensions are to rough opening. See detail A100 for account for trim and eave space.
6. For railing types see A100.

CODED NOTES (7)

1. New opening in existing wall. Refer to Structure for details.
2. If in existing opening.
3. Remove partition and upgrade to existing order to A304.



1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

Δ	Date	Description

Issued For / Date
Permit / July 1, 2022

Seal / Signature



Abbie Spera, License # 01817201
Expiration Date 12/31/2022

Project Name
COLORADO MTN SPORTS

Project Number
22-009

Scale
As Indicated

Description

SECOND FLOOR PLANS

A202

COLORADO MTN SPORTS

4145 Centerville Rd. Hilliard, OH 43026

MARKER.

Client & User
Address: 2001 Riverside Dr., Columbus, OH 43221

The Columbus ARCHITECTURAL STUDIO

455 Hildreth St. Columbus, OH 43205 Tel: 614.291.1000 Fax: 614.291.1000

STRUCTURAL ENGINEERS
James G. Giers & Associates
6640 Frank Rd.
Dublin, OH 43017
614.765.0200

MECHANICAL & PLUMBING
Ragel Plumbing & Heating Co.
3735 Paragon Dr.
Hilliard, OH 43026
614.888.8905

CIVIL ENGINEERS
Chickie One Engineering
400 E. Eisenhower Rd.
Bridon, OH 43085
637.497.0200

ELECTRICAL ENGINEER
Ramsdorf Electric
1218 Research Road
Gahanna, OH 43230

GENERAL NOTES

1. Refer to Sheet A200 for partition and exterior wall types.
 - A. All interior partition walls, except type S3, U10.
 - B. All non-load bearing walls are type C11.
 - C. Existing exterior stone walls to be modified as shown.
 - D. Gypsum board or cement board to be used as shower walls, except at shower and wet wall ADA restrooms.
2. All wall dimensions are to finished face, UNLESS NOTED.
3. Refer to Sheet A205 for doors, frames, and hardware.
4. All doors shall maintain at least 3" clearance on either side of jamb for 3" making good door frame.
5. All clearances and dimensions are to rough opening. Schedule MFG to account for trim and sealant space.
6. For roofing types see A208.

CODED NOTES

1. Hole opening in existing wall. Refer to Structure for details.
2. Full ceiling opening.
3. The new perimeter drainage into existing riser to TSSM.

△	Date	Description
---	------	-------------

Issued For / Date

Permit / July, 2012

Seal / Signature



Abbe Stern, License # 11817281
Expiration Date 12/31/2022

Project Name

COLORADO MTN SPORTS

Project Number

22009

Scale

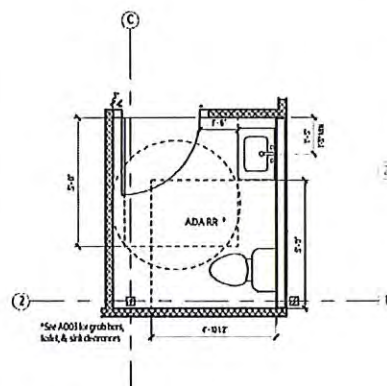
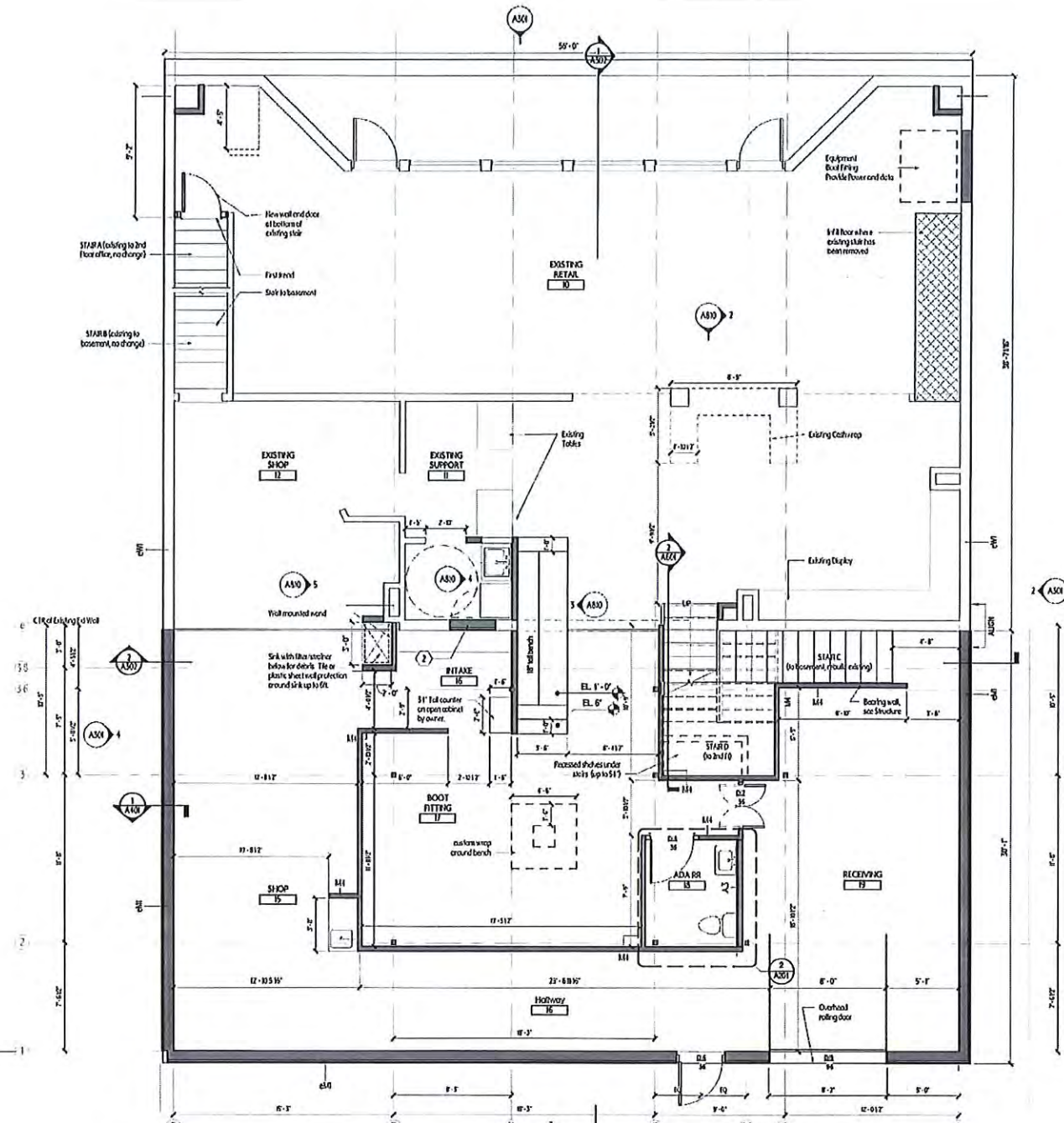
As indicated

Description

FIRST FLOOR PLANS

A201

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2 ENLARGED ADA RESTROOM
SCALE: 3/8" = 1'-0"

1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

COLORADO MTN SPORTS

4115 Cemetery Rd Hilliard, OH 43026

MARKER.

Client Marker
Address 201 Riverside Dr. Columbus, OH 43212

The Columbus
ARCHITECTURAL STUDIO

40511 Ford St
Columbus, OH 43205

Tel: 614.291.1000
Fax: 614.291.1000

STRUCTURAL ENGINEERS
Jazzarino Owers & Associates
6640 Frank Rd
Dublin, OH 43017
614.769.6000

MECHANICAL & PLUMBING
Ragel Plumbing & Heating Co.
3755 Paragon Dr
Hilliard, OH 43026
614.868.8995

CIVIL ENGINEERS
Chloe One Engineering
440 E. Lincoln Ave.
Hilliard, OH 43026
614.497.0200

ELECTRICAL ENGINEER
Romano Electric
1288 Research Road
Columbus, OH 43229
614.497.0200

△ Date Description

Issued For / Date

Permit / July 1, 2022

Seal / Signature



Able Steyer, License # 1817281
Expiration Date 12/31/2022

Project Name
COLORADO MTH SPORTS

Project Number
22-009

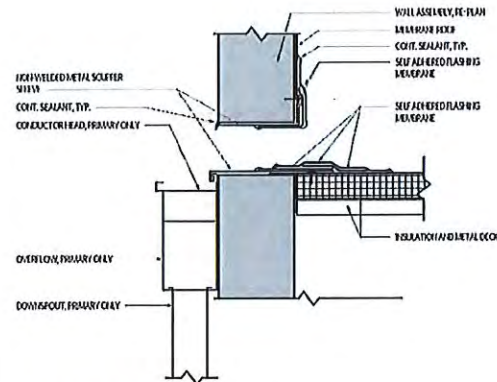
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As Indicated

Description

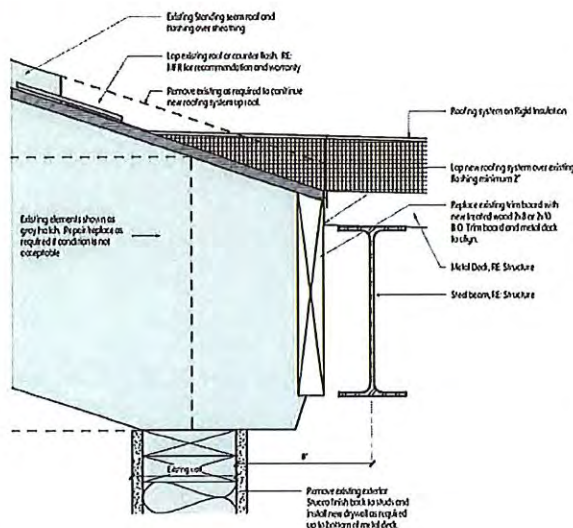
ROOF PLAN & DETAILS

A203

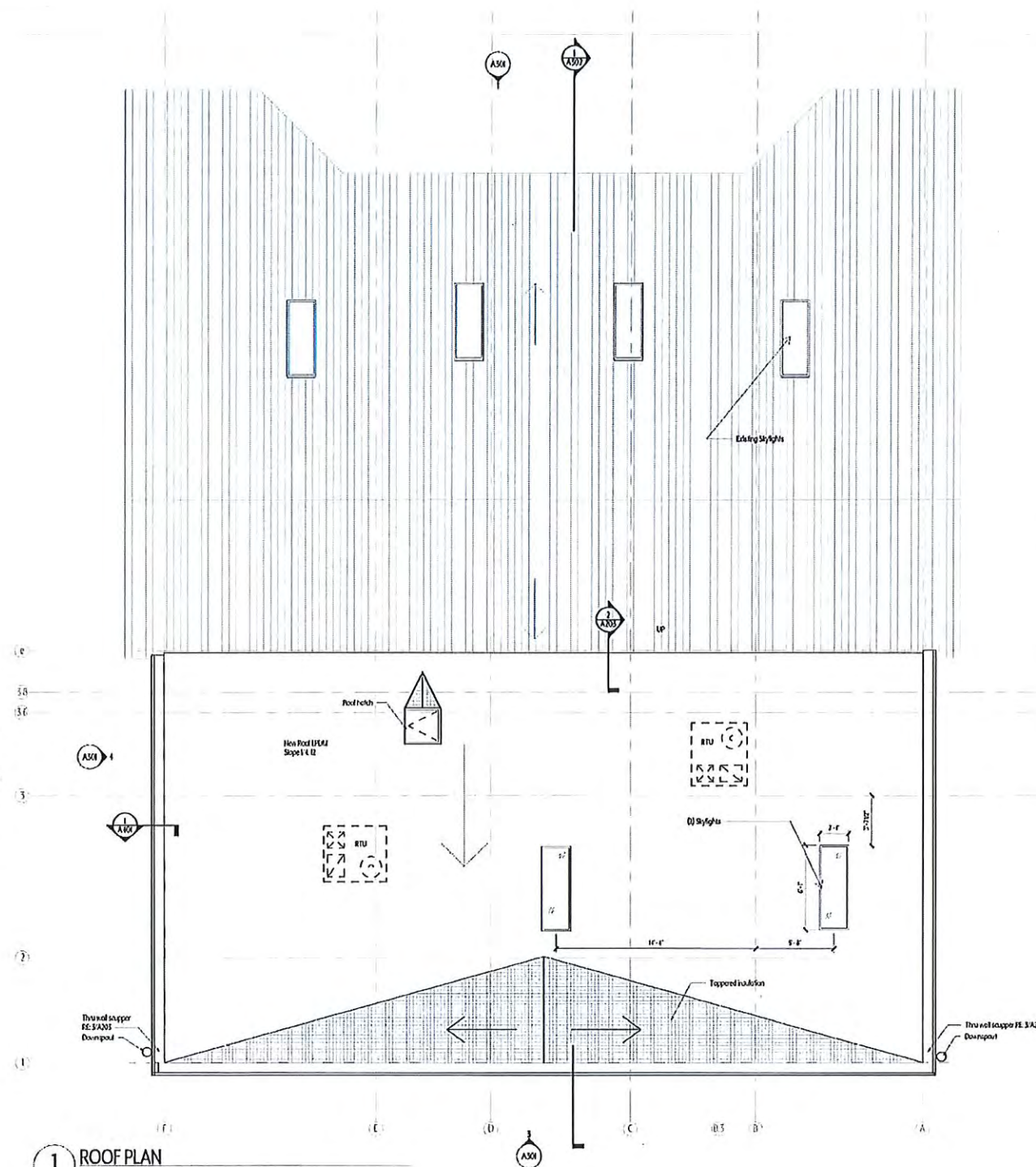
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3 SCUPPER DETAIL
SCALE: 1/2" = 1'-0"



2 ROOF DETAIL @ EXISTING
SCALE: 3/4" = 1'-0"



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

**COLORADO
MTN SPORTS**

4115 Conventry Rd Hilliard, OH 43026

MARKER.

Clare Marker
Address: 3011 Keweenaw Dr., Columbus, OH 43221

The Columbus
ARCHITECTURAL STUDIO

475 Hillcrest St Columbus, OH 43225 Tel: 614.291.1000 Fax: 614.291.1000

STRUCTURAL ENGINEERS
Joseph Gier & Associates
5640 Frantz Rd
Dublin, OH 43017
614.708.0500

MECHANICAL & PLUMBING
Ropal Plumbing & Heating Co.
3735 Paragon Dr
Hilliard, OH 43028
614.658.8956

CIVIL ENGINEERS
Chico One Engineering
440 E. Haverhill Rd.
Bridgeton, OH 45305
937.497.0200

ELECTRICAL ENGINEER
Rumrort Electric
1288 Research Road
Columbus, OH 43220

Δ	Date	Description
---	------	-------------

Issued For / Date

Form / July 1, 2022

Seal / Signature



Abbie Berra, License #1817281
Expiration Date 12/31/2022

Project Name

COLORADO MTN SPORTS

Project Number

21-009

Scale

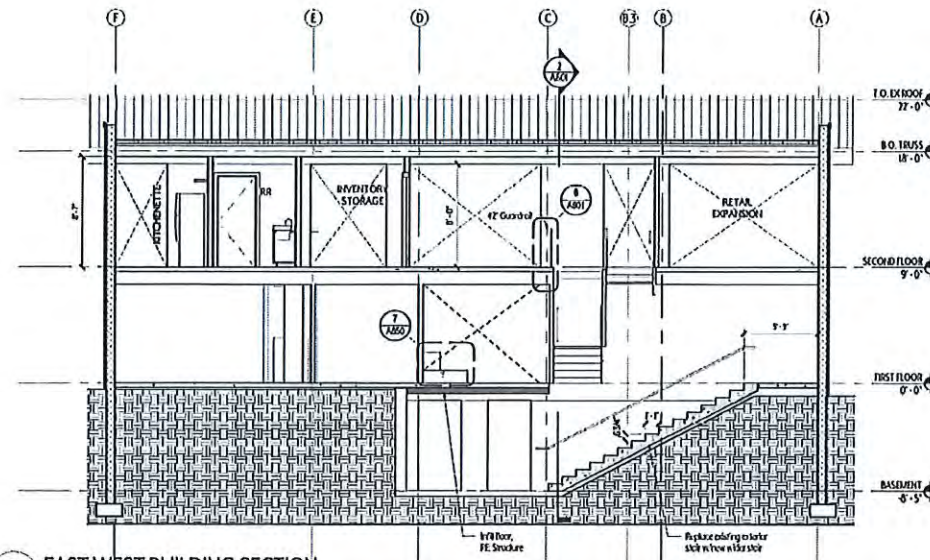
3/8" = 1'-0"

Description

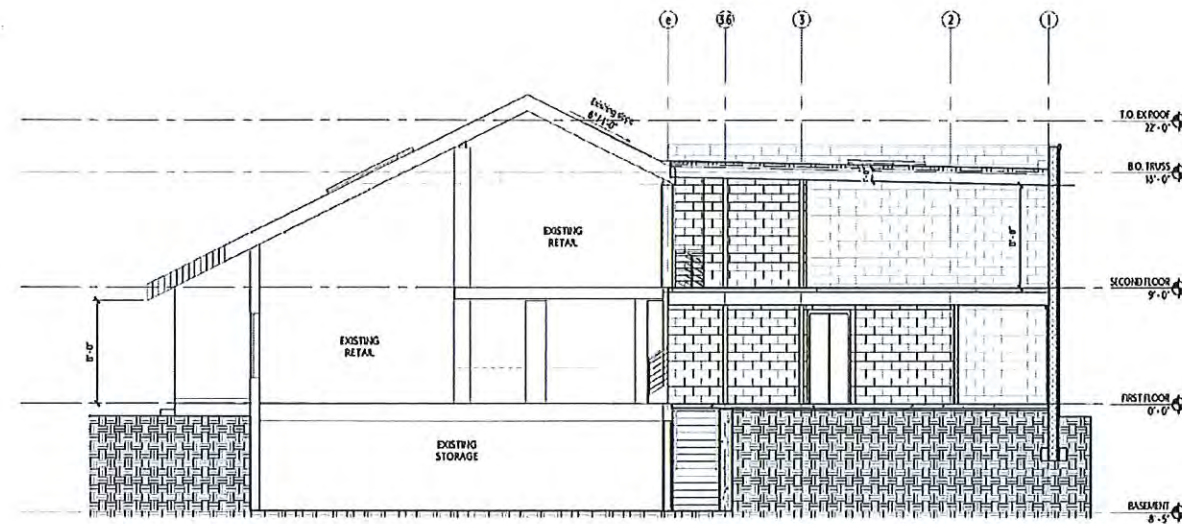
BUILDING SECTIONS

A302

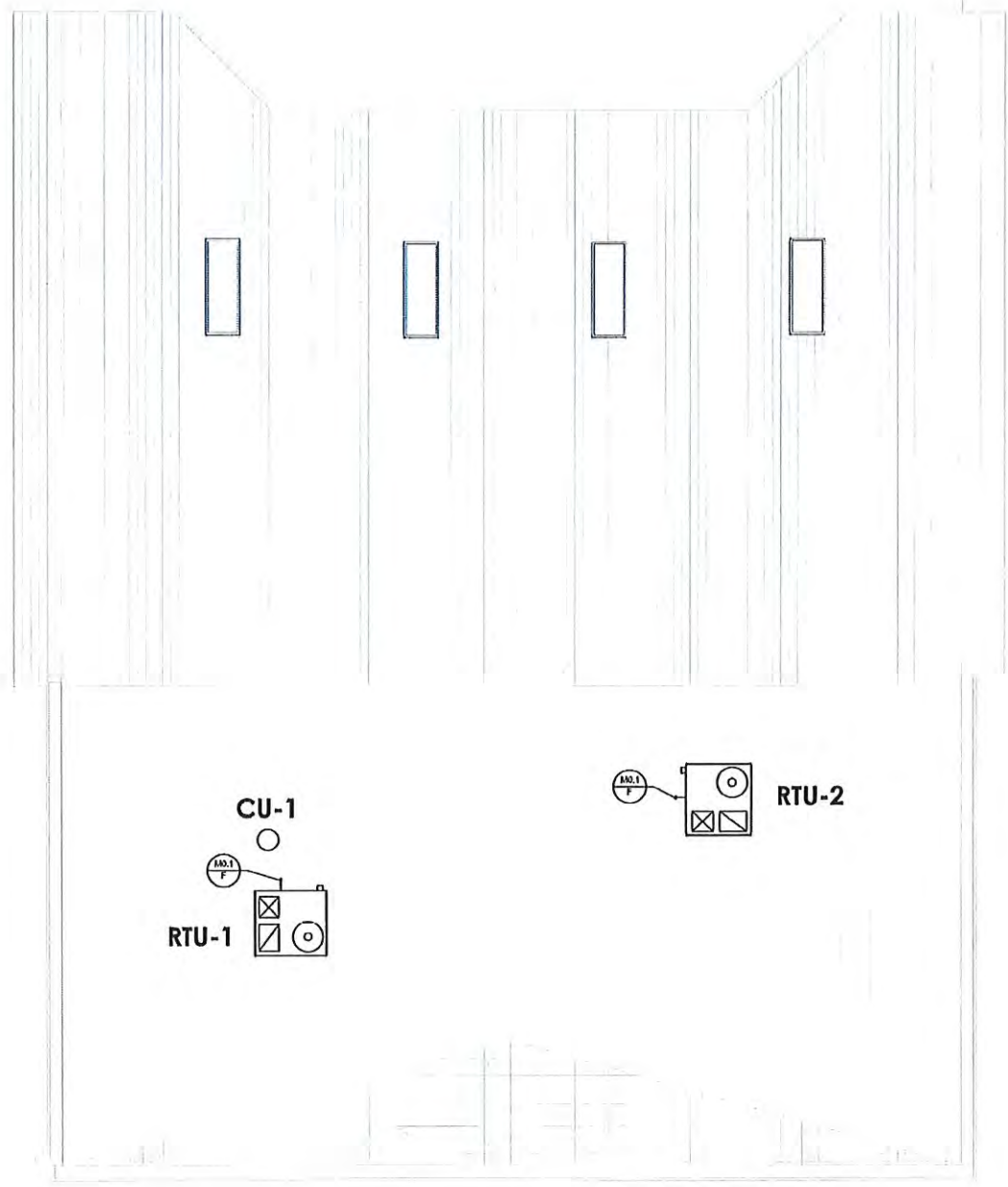
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2 EAST WEST BUILDING SECTION
SCALE: 3/8" = 1'-0"



1 NORTH SOUTH BUILDING SECTION
SCALE: 3/8" = 1'-0"



HVAC - ROOF PLAN
SCALE: 1/4" = 1'-0"

HVAC GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO OHIO BUILDING, PLUMBING AND MECHANICAL CODES AND ANY OTHER APPLICABLE CODES AND REQUIREMENTS.
2. DUCT WORK SHALL MEET OR EXCEED ALL SMACNA STANDARDS.

HVAC CODED NOTES:

1. CONNECT THE TWO EXT'G 14X8 DUCTWORK TRUNK IN BASEMENT.
2. RELOCATE GAS METER AND REDUCE TO ONE METER.
3. ROUTE 3" DRYER VENT TO EXTERIOR WALL.
4. 1/2" GAS PIPE TO DRYER (17,000 BTU/H).
5. RETURN PLENUM 14.25x19.5 RG-1; HART & COOLEY 650, 30X24, RETURN AIR REGISTER, WHITE.
6. EXT'G DUCTWORK IN BASEMENT AND EXT'G FLOOR REGISTER ON 1ST FLOOR.
7. EXT'G DUCTWORK AND CEILING DIFFUSER IN BASEMENT.
8. DEMO FLOOR REGISTER AND DEMO/CAP DUCTWORK AS REQUIRED. GC TO REPAIR FLOOR.
9. CONNECT TO EXT'G 14x8 DUCTWORK IN BASEMENT.
10. EXT'G DUCTWORK AND CEILING DIFFUSER IN 1ST FLOOR.
11. CONNECT TO EXT'G DUCTWORK IN SOFFIT.
12. EF-3 PULLS IN VENTILATION AIR THROUGH WALL LOUVER L-1. L-1 FREE AREA NO LESS THAN 0.5 FT2 AND PROVIDED WITH BACKDRAFT DAMPER

COLORADO MTN SPORTS
4445 Demetery Rd. Hilliard, OH 43026



405 N Front St
Columbus, OH 43215

MARKER.

STRUCTURAL ENGINEERS
Jesse Gears & Associates
6640 Franz Rd
Columbus, OH 43017
614-766-6668

GENERAL CONTRACTOR
Marker Construction
2011 Riverside Dr.
Columbus, OH 43221

CIVIL ENGINEERS
Choice One Engineering
410 E. Newlin Rd.
Columbus, OH 43205
614-777-0500

MECH & PLBO CONTRACTOR
Royal Mechanical
3735 Paragon Dr.
Hilliard, OH 43026
Tel: 614-888-8905

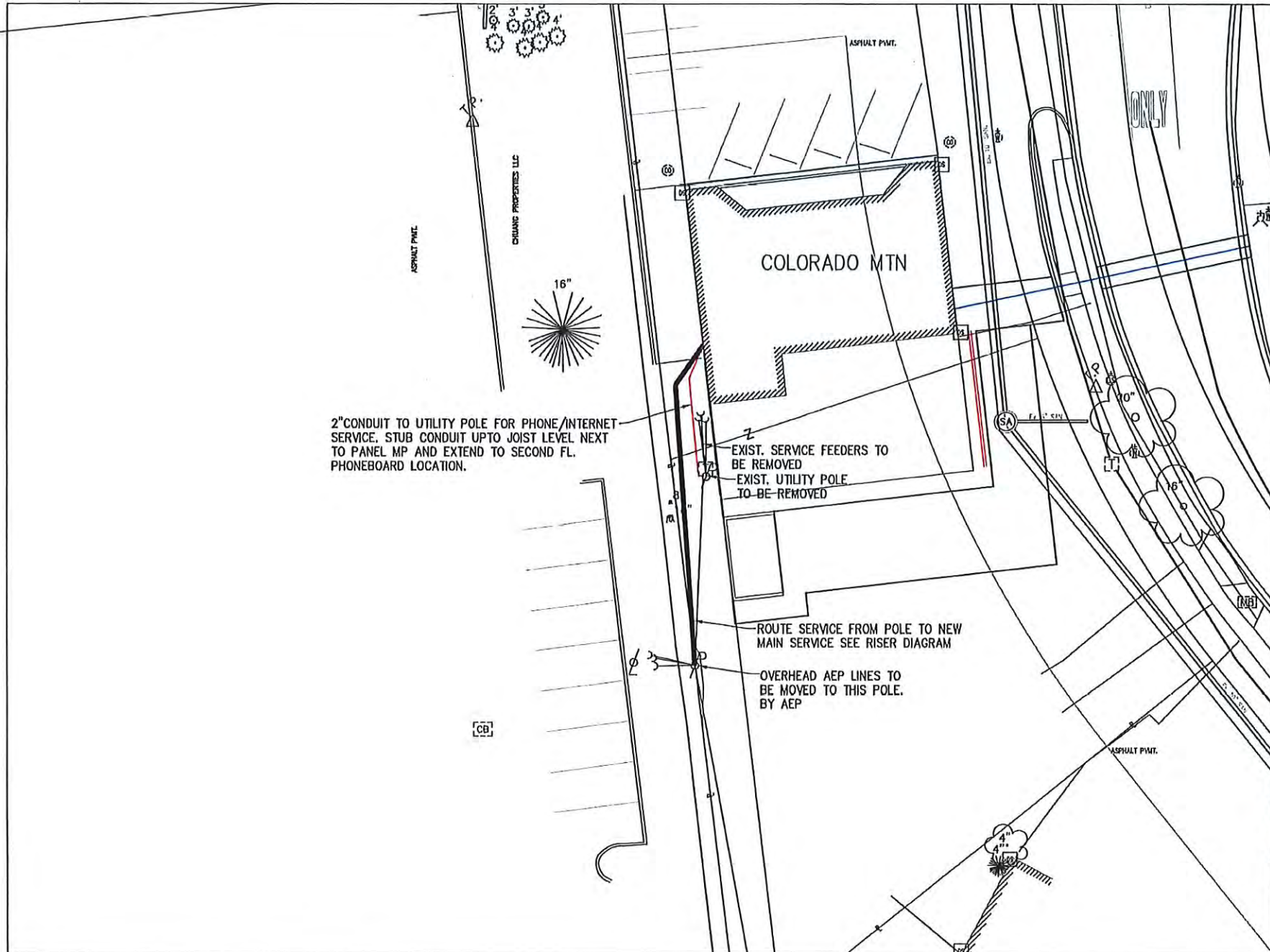
Δ	Date	Description
	07/01/2022	PERMIT SET



Project Name	COLORADO MTN SPORTS
Project Number	77-114485
Scale	1/4" = 1'-0"
Description	ROOF FLOOR PLAN

REGAL
PLUMBING & HEATING
3735 PARAGON DR.
HILLIARD, OH 43026
TEL: 614.888.8905
LICENSE #26872

M3.0



2" CONDUIT TO UTILITY POLE FOR PHONE/INTERNET SERVICE. STUB CONDUIT UP TO JOIST LEVEL NEXT TO PANEL MP AND EXTEND TO SECOND FL. PHONEBOARD LOCATION.

EXIST. SERVICE FEEDERS TO BE REMOVED
 EXIST. UTILITY POLE TO BE REMOVED

ROUTE SERVICE FROM POLE TO NEW MAIN SERVICE SEE RISER DIAGRAM

OVERHEAD AEP LINES TO BE MOVED TO THIS POLE. BY AEP

COLORADO MTN SPORTS
 4445 Cemetery Rd. Hilliard, OH 43026
 Client: Marker
 Address: 2011 Riverside Dr. Columbus, OH 43221

THE COLUMBUS ARCHITECTURAL STUDIO
 405 H Front St Columbus, OH 43215 Tel: Do not enter Fax: Text here

R PHONE: 614-755-4500 FAX: 614-755-4510
ROMANOFF ELECTRIC
 1288 RESEARCH ROAD GAJANINA, OHIO 43230

Date	Description
07/01/22	Construction Documents

Seal / Signature

 Dan W. Manning

Project Name
 COLORADO MTN SPORTS
 Project Number
 22-01x
 Scale
 As Indicated
 Description

ELECTRICAL SITE UTILITY PLAN
SU-1

RECORD OF ACTION



Planning & Zoning Commission

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

Thursday, January 12, 2023 | 7:00 pm

CASE 1: PZ-22-43 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD
PARCEL NUMBER: 050-002824
APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.
REQUEST: Review and approval of a PUD Final Development Plan modification under the provisions of the Cemetery Road Properties Located Between Leap & Lacon Roads PUD Concept Plan and Text for a two-story, 3,240-square-foot building addition on 0.44-acre.

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

MOTION:

Mr. Uttley made a motion to approve the PUD Final Development Plan modification under the provisions of the Cemetery Road Properties Located Between Leap and Lacon Roads PUD Concept Plan and Text for a two-story, 3,240-square-foot building addition on 0.44-acre with the following seven conditions:

- 1) That a variance for the proposed employee parking spaces is obtained by the Board of Zoning Appeals;
- 2) That all building plans be revised to comply with applicable Building and Fire Code requirements;
- 3) That all plans be updated to comply with the City’s regulations for stormwater management to the satisfaction of the City Engineer;
- 4) That the site plan be revised to include required landscaping per Code;
- 5) That the southern drive approach be limited to 14 feet in width;
- 6) That an additional shutter and horizontal trim board be provided on all elevations of the addition that have a stucco finish, subject to staff approval; and
- 7) That a building permit is obtained prior to construction.

Vice Chair Schneck seconded the motion.

VOTE:

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

STATUS:

Case #1: PZ-22-43 is approved (6-0) with seven conditions.

CERTIFICATION:

Carson Combs, Planning Manager

January 13, 2023

[END OF RECORD]

Board Order



Board of Zoning Appeals

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

Thursday, December 15, 2022 | 7:00 pm

CASE 4: BZA-22-40 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD
PARCEL NUMBER: 050-002824
APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.
REQUEST: Review and approval of a variances to Hilliard Code Section 1127.04 to approve a comprehensive site parking plan for a two-story, 3,240-square-foot building addition on 0.44-acre.

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

MOTION:

At the request of the applicant, Mr. St. Clair made a motion to postpone *BZA-22-40 – Colorado Mountain Sports – 4445 Cemetery Road* to the January 19, 2023, regular meeting.

The motion was seconded by Mr. Stepp.

VOTE:

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

STATUS:

CASE #BZA-22-40 was postponed (5-0) to the January meeting.

CERTIFICATION:



Carson Combs, Planning Manager
December 16, 2022

Any party adversely affected by a decision of the Board may appeal the decision in the manner and within the time frame as provided by Section 2506 of the Ohio Revised Code.

[END OF BOARD ORDER | BZA-22-40]

RECORD OF ACTION



Planning & Zoning Commission

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

Thursday, December 8, 2022 | 7:00 pm

CASE 2: PZ-22-43 – COLORADO MOUNTAIN SPORTS – 4445 CEMETERY ROAD
PARCEL NUMBER: 050-002824
APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.
REQUEST: Review and approval of a PUD Final Development Plan modification under the provisions of the Cemetery Road Properties Located Between Leap & Lacon Roads PUD Concept Plan and Text for a two-story, 3,240-square-foot building addition on 0.44-acre.

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

MOTION:

As part of changes to the agenda, Mr. Lewie made a motion to postpone Case PZ-22-43 – Colorado Mountain Sports – 4445 Cemetery Road to the January 12, 2023, meeting.

Ms. Nixon seconded the motion.

VOTE:

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

STATUS:

Case #2: PZ-22-43 is postponed (5-0) to the January meeting by a voice vote.

CERTIFICATION:

Carson Combs, Planning Manager
December 9, 2022

[END OF RECORD]



Resolution: 22-R-97

Adopted: November 28, 2022

Page 1 of 2

Effective: November 28, 2022

APPROVING CHANGES TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR ±0.44-ACRE LOCATED ON THE SOUTHWEST CORNER OF CEMETERY ROAD AND LACON ROAD AS PART OF THE "CEMETERY ROAD PROPERTIES LOCATED BETWEEN LEAP AND LACON ROADS" DEVELOPMENT ("PUD") PLAN AND TEXT TO MODIFY SETBACKS AND OTHER DEVELOPMENT STANDARDS.

WHEREAS, Cemetery Road Holdings, LLC. (the "Owner") owns approximately ±0.44 acre at the southwest corner of Cemetery Road and Lacon Road at 4445 Cemetery Road, identified as Parcel #050-002824 by the Franklin County Auditor's Office; and

WHEREAS, a portion of the Property was rezoned from R-2, Low Density Residential District to B-1, Neighborhood Business District by City Council on August 18, 1980 (Ordinance No. 80-38) to permit the construction of a retail sports clothing store and office; and

WHEREAS, City Council adopted Ordinance 91-03, effective March 13, 1991, to rezone adjacent properties located at 4461-4599 Cemetery Road and 3827-4424 Lacon Road from R-2, Low Density Residential District to B-5, Commercial Planned Development District; and

WHEREAS, the B-5, Commercial Planned Development District adjacent to the Property included the development plan text known as "*Cemetery Road Properties Located Between Leap and Lacon Roads*" prepared by the Mid-Ohio Regional Planning Commission (MORPC); and

WHEREAS, City Council adopted Ordinance No. 14-29 on October 27, 2014, enacting a new Zoning Code that reclassified the adjacent properties at 4461-4599 Cemetery Road and 3827-4424 Lacon Road from B-5, Commercial Planned Development District to PUD, Planned Unit Development District; and

WHEREAS, City Council adopted Ordinance 22-31 on September 26, 2022, to rezone a 0.195-acre portion of the property from B-1, Neighborhood Business District to PUD, Planned Unit Development District (which became effective on November 26, 2022); and

WHEREAS, the Owner at 4445 Cemetery Road submitted application number PZ-22-43 to the City's Planning and Zoning Commission on July 6, 2022, to amend the PUD development text; and

WHEREAS, on August 11, 2022, following its duly advertised public hearing, the Planning and Zoning Commission voted 7-0 to forward a positive recommendation to City Council regarding proposed PUD text modifications as depicted and described as Exhibit "A", attached hereto and incorporated herein (the "PUD Development Text"); and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The "*Cemetery Road Properties Located Between Leap and Lacon Roads*" PUD Development Text is hereby amended to modify setbacks and development standards.

SECTION 2. The amended development text, attached hereto as Exhibit "A" and incorporated herein by reference, is approved and shall hereafter be referred to as the "*Cemetery Road Properties Located Between Leap and Lacon Roads*" PUD Development Text.

SECTION 3. This Resolution is effective upon its adoption.

ATTEST:



Diane C. Werbrich, MMC
Clerk of Council

SIGNED:



President of Council

APPROVED AS TO FORM:



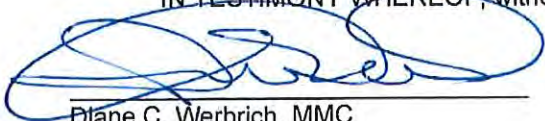
Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-97		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Andy Teater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Les Carrier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Tina Cottone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over	Peggy Hale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Pete Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation	Cynthia Vermillion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Recommendation					
<input type="checkbox"/> Referred Back To Committee					

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-97** passed by the Hilliard City Council on the 28th day of November 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of November 2022.



Diane C. Werbrich, MMC

Development Plan – Cemetery Road Properties Located Between Leap & Lacon Roads
 City of Hilliard
 November 17, 2015 August 11, 2022

Approved
 11/28/2022
 RES 22-R-97 Exhibit A

5.5 Area and Visibility

Visibility along the northern boundary of the subject site is excellent given this is a lineal segment of Cemetery Road that is free from major obstacles. Long-range visibility is somewhat hampered by the Cemetery Road underpass that is east of the site.

Intersections are found at Leap and Cemetery, Brown Park Drive and Cemetery, and Lacon and Cemetery.

The number of curb cuts along the northern side of Cemetery Road supports the access drive restriction for the subject site.

5.6 Proposed Development

The following narrative provides a description of those elements of the rezoning application that can be addressed at this time. As it has been previously stated, this application is the first step in the development review process for the subject properties. Details such as building configuration, etc., will be resolved prior to zoning clearance.

5.6.1 Permitted Uses

The proposed use of the subject site is as a commercial, office or mixed use development that is a single component and developed as a complex of structures or a single structure.

The following uses are included in this application as proposed uses:

- a. Retail business.
- b. Retail goods.
- c. Personal services.
- d. Business services.
- e. Offices and banks.
- f. Restaurants, except fast-food restaurants (as defined in item 3 below).

The following definitions apply only to the property located at 4657 Cemetery Road:

1. Full service restaurant: establishments engaged in providing food services to patrons who order and are served while seated (i.e. waiter/waitress service) and pay after eating.
 2. Limited service restaurant: establishments primarily engaged in providing food services where patrons generally order or select and pay before eating. Food may be consumed on premises, taken out, delivered to the customer's location, or provided through one drive-up window.
 3. Fast-food restaurant: all establishments that do not meet the definition of Full service or Limited service restaurant.
- g. Accessory uses.
 - h. Gasoline service stations, except automotive repair.
 - i. Child care facilities.

Development Plan – Cemetery Road Properties Located Between Leap & Lacon Roads
City of Hilliard
~~November 17, 2015~~ August 11, 2022

5.6.2 Prohibited Uses

The following uses are prohibited:

- a. Taverns.
- b. Adult entertainment.
- c. Convenience grocery.
- d. Video arcades.
- e. Fast-food restaurants.
- f. Roof-mounted satellite ground stations.
- g. Off-premises signage (billboards).
- h. Automotive repair.

5.6.3 Access

Access to the subject site is indicated on the Site Plan and shall only be provided by the following means. Actual pavement width and number of lanes shall meet the standards established by the City Engineer prior to issuance of any building permit.

- a. An access drive shall be provided opposite Brown Park Drive
- b. One access drive shall be provided along Lacon Road.
- c. Access shall be provided to Leap Road through extension of a private access drive.

All existing residential driveways located on the subject site shall be removed prior to issuance of any building permit. The curb and sidewalk shall be replaced at each of these locations and shall meet the City's design standards.

5.6.4 Screening, Buffering, and Landscaping

The Landscape Ordinance requirements will apply to the subject site. Specifically, the following provisions are proposed:

- a. An eight-foot wood privacy fence shall be installed along the property line adjacent to all residential properties. The building setback shall remain at 50 feet in these locations. Together this should provide a suitable screen for neighboring residents.
- b. Existing vegetation along Tudor Ditch on the subject site shall be maintained where such maintenance does not interfere with stormwater

Development Plan – Cemetery Road Properties Located Between Leap & Lacon Roads
 City of Hilliard
~~November 17, 2015~~ August 11, 2022

drainage. Any area along the property line where such vegetation does not exist, four-foot evergreen shrubs shall be planted every four feet to provide a screen, except where such planting interferes with stormwater drainage.

5.6.5 Development Standards

The following development standards apply to the subject site.

- a. Double Frontage Lots – Any double frontage lots that will be developed on the subject site shall not have individual lot access directly onto a public road or right-of-way. Limited curb cuts shall be provided on-site to provide internal access only.
- b. Parking – There shall be no on-street parking either along public rights-of-way or within the subject site.
- c. Building Height – All buildings and structures shall not exceed two stories in height.
- d. Building Setbacks – The **minimum** building setbacks shall be 50 feet from the Cemetery Road right-of-way, ~~50~~ 20 feet from the Lacon Road right-of-way **for commercial uses, 30 feet from the Lacon Road and Lacon Circle rights-of-way for single-family residential uses, 10 feet from the side property line for properties with frontage on Lacon Road or Lacon Circle,** 10 feet from the rear property line, and 50 feet from all residential zoning districts.
- e. Vehicular Use Area Setbacks – **The minimum vehicular use area setbacks shall be 20 feet from any public right-of-way and 20 feet from any single-family residential use. Vehicular use area interior and perimeter landscaping shall be consistent with the provisions of Hilliard Zoning Code.**

5.6.6 Signage

Signage shall meet the requirements of the Hilliard graphics code and shall compliment the architectural treatment of the development. Corporate logos and trademarks shall not occupy more than 50 percent of the sign area of each individual sign.

5.6.7 Architectural Considerations

The architectural character of the development should build upon the themes found in the greater Cemetery Road corridor, in particular the Mill Run development, Brown Commerce Park, and U.S. Post Office. In addition:

- a. Rear Treatment – The rear treatment of the south facing building exteriors that are visible from any adjacent residential property, Lacon Road, and Tudor Ditch shall at a minimum be painted to compliment the structure's architectural treatment,

Development Plan – Cemetery Road Properties Located Between Leap & Lacon Roads
City of Hilliard
~~November 17, 2015~~ August 11, 2022

unless painting interferes with the material used to face such wall and such material does not visually set such wall apart from the other exterior walls.

- b. Building Exterior – Building exterior shall be comprised of brick, stone or similar materials that compliment the architectural treatment of each structure. If more than one structure or building is present on the subject site, all structures and buildings shall compliment on another relative to their building exteriors.
- c. Roofs – Roofs should be pitched to portray a residential character for all buildings. Air conditioning, ventilation, and heating equipment shall not be visible from adjacent ~~residential~~ properties ~~or rights-of-way~~.



Ordinance: 22-31

Adopted: September 26, 2022

Page 1 of 2

Effective: November 26, 2022

REZONING ±0.195-ACRE OF LAND LOCATED AT THE SOUTHWEST CORNER OF CEMETERY ROAD AND LACON ROAD FROM B-1, NEIGHBORHOOD BUSINESS DISTRICT TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD) AS PART OF THE "CEMETERY ROAD PROPERTIES LOCATED BETWEEN LEAP AND LACON ROADS" PUD CONCEPT PLAN AND TEXT.

WHEREAS, Cemetery Road Holdings, LLC. (the "Owner") owns approximately 0.195-acre at the southwest corner of Cemetery Road and Lacon Road, identified as Lot 231 of the Easthill Acres Subdivision Plat and now part of a larger 0.437-acre property identified by the Franklin County Auditor's Office as Parcel #050-002824; and

WHEREAS, the Owner desires to rezone approximately 0.195-acre of the larger 0.437-acre parcel to an existing planned development, as depicted and described on Exhibits "A" and "B", attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Property was rezoned from R-2, Low Density Residential District to B-1, Neighborhood Business District by City Council on August 18, 1980 (Ordinance 80-38) to permit the construction of a retail sports clothing store and office; and

WHEREAS, City Council adopted Ordinance No. 91-03, effective March 13, 1991, to rezone adjacent properties located at 4461-4599 Cemetery Road and 3827-4424 Lacon Road from R-2, Low Density Residential District to B-5, Commercial Planned Development District; and

WHEREAS, the B-5, Commercial Planned Development District adjacent to the Property included the development plan text known as "*Cemetery Road Properties Located Between Leap and Lacon Roads*" prepared by the Mid-Ohio Regional Planning Commission (MORPC); and

WHEREAS, City Council adopted Ordinance No. 14-29 on October 27, 2014, enacting a new Zoning Code that reclassified the adjacent properties at 4461-4599 Cemetery Road and 3827-4424 Lacon Road from B-5, Commercial Planned Development District to PUD, Planned Unit Development District; and

WHEREAS, the Owner at 4445 Cemetery Road (Lot #231) submitted application number PZ-22-43 to the City's Planning and Zoning Commission to rezone the Property from B-1, Neighborhood Business District to PUD, Planned Unit Development District; and

WHEREAS, on August 11, 2022, following its duly advertised public hearing, the Planning and Zoning Commission voted 6-0 to forward a positive recommendation to City Council to rezone the Property to "PUD" Planned Unit Development District as part of the existing "*Cemetery Road Properties Located Between Leap and Lacon Roads*" PUD Concept Plan and Text, as depicted and described on Exhibit "C", attached hereto and incorporated herein (the "PUD Development Text").

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The ±0.195-acre Property owned by Cemetery Road Holdings, LLC., located at the southwest corner of Cemetery Road and Lacon Road, the graphical depiction and legal description of which are **attached** hereto as Exhibits "A" and Exhibit "B" respectively, and incorporated by reference

herein, is rezoned from B-1, Neighborhood Business District to PUD Planned Unit Development District pursuant to Chapter 1117 of the City's Codified Ordinances.

SECTION 2. The existing "Cemetery Road Properties Located Between Leap and Lacon Roads" PUD Development Text dated August 11, 2022, attached hereto as Exhibit "C", and incorporated by reference herein, is approved.

SECTION 3. This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

ATTEST:

SIGNED:

Diane Werbrich

 Diane C. Werbrich, MMC
 Clerk of Council

Pete Marsh

 President of Council

APPROVED AS TO FORM:

Philip K. Hartmann

 Philip K. Hartmann
 Director of Law

✓ Vote Record - Ordinance 22-31						
		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/> Adopted		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Passed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Referred		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Andy Teater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Omar Tarazi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Les Carrier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Tina Cottone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Peggy Hale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Pete Marsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-31 passed by the Hilliard City Council on the 26th day of September 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 26th day of September 2022.

Diane Werbrich

 Diane C. Werbrich, MMC

Stewart Title Guaranty Company

Approved

09/26/2022
ORD 22-31 Exhibit A

Commitment Number: CT6544

**EXHIBIT A
PROPERTY DESCRIPTION**

The land referred to in this Commitment is described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Hilliard:

Being Lot Number Two Hundred Thirty-one (231) of EASTHILLACRES, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 33, Page 28, Recorder's Office, Franklin County, Ohio.

Approved

09/26/2022

ORD 22-31 Exhibit B

EXHIBIT B: ZONING GRAPHIC

Cemetery Road Holdings, LLC
±0.195-acre southwest corner of Cemetery and Lacon Roads



RECORD OF ACTION



Planning & Zoning Commission

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

Thursday, August 11, 2022 | 7:00 pm

CASE 6: PZ-22-43 – COLORADO MOUNTAIN SPORTS – 4445 Cemetery Road

PARCEL NUMBER: 050-002824

APPLICANT: Cemetery Rd Holdings LLC, c/o Eric Bahgat, 4445 Cemetery Road, Hilliard, OH 43026.

REQUEST: Review and approval of an application to rezone Lot 231 of Easthill Acres from B-1 to PUD under the provisions of Hilliard Code Chapter 1117; a modification of the Cemetery Road Properties Located Between Leap and Lacon Roads PUD by adding Lot 231 of Easthill Acres to the PUD, and revising development standards under the provisions of Hilliard Code Section 1117.08.

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

MOTION 1 (REZONING):

Vice Chair Schneck made a motion to approve an application to rezone Lot 231 of Easthill Acres from B-1 to PUD under the provisions of Hilliard Code Chapter 1117.

Mr. Pannett seconded the motion.

VOTE:

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

STATUS:

Case #6: The rezoning request for PZ-22-43 was approved (6-0). A positive recommendation will be forwarded to City Council for the proposed rezoning.

MOTION 2 (PUD TEXT MODIFICATION):

Vice Chair Schneck made a motion to approve a modification of the "Cemetery Road Properties Located Between Leap and Lacon Roads" PUD by adding Lot 231 of Easthill Acres to the PUD, and revising development standards under the provisions of Hilliard Code Section 1117.08 with one condition:

- 1) That a revised PUD Development Text meeting the conditions of Planning and Zoning Commission approval is submitted prior to being scheduled on any Council agenda.

Chairman Muether seconded the motion.

VOTE:

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

STATUS:

Case #6: The PUD text modification for PZ-22-43 was approved (6-0) with one condition. A positive recommendation will be forwarded to City Council.

CERTIFICATION:



 Carson Combs, Planning Manager/Acting Clerk
 August 12, 2022

[END OF RECORD]