



**BOARD OF ZONING APPEALS
-AGENDA-
Thursday, March 7, 2024 at 7:00 P.M.**

Louis J.R. Goorey Worthington Municipal Building
The John P. Coleman Council Chamber
6550 North High Street
Worthington, Ohio 43085

A. Call to Order - 7:00 pm

1. Roll Call
2. Pledge of Allegiance
3. Approval of minutes of the February 1, 2024 meeting
4. Affirmation/swearing in of witnesses

B. Items of Public Hearing

1. **Variance** – Side Yard Setback – Detached Garage – **949 Clayton Dr.** (Anthony Pello) **VAR 04-2024**
2. **Variance** – Side & Rear Yard Setbacks – Shed – **99 E. North St.** (Joshua Myers) **VAR 05-2024**
3. **Variance** – Rear Yard Setback at Right-of-Way – Fence – **540 Greenglade Ave.** (Clinton J. Sweitzer) **VAR 06-2024**
4. **Variance** – Accessory Building Area – Garage – **141 Northhigh Dr.** (William Hernandez/Eagle Home Properties Inc.) **VAR 07-2024**

C. Other

D. Adjournment



MEMORANDUM

TO: Members of the Board of Zoning Appeals

FROM: Lynda Bitar, Planning Coordinator

DATE: March 1, 2024

SUBJECT: Staff Memo for the Meeting of March 7, 2024

B. Items of Public Hearing

1. **Variance** – Side Yard Setback – Detached Garage – **949 Clayton Dr.** (Anthony Pello) **VAR 04-2024**

Findings of Fact and Conclusions

Background:

This R-10 (Low Density Residential) Zoning District property is 0.38 acres in area and near the end of the Clayton Dr. cul-de-sac. The existing house was constructed in 1969 and is 2388 square feet in area. The owner is planning to remodel the existing attached garage for use as a primary suite. A new 22' x 24' detached garage is proposed with this application.

Worthington Codified Ordinances:

Section 1149.08 Special Yard Requirements.

(b) No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any "R" District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

Request:

The applicant is requesting approval to construct a new detached garage at the southwest corner

of the property 4' from the side property line for a variance of 4'.

Project Details:

1. The proposed garage is 22' x 24' or 528 square feet in area.
2. A gabled roof is proposed that is planned to be 12' at the highest point and the walls would be 8' in height.
3. Location in the southwest corner of the property, 4' from the side property line, would allow the garage to be more in line with the existing driveway.
4. There is existing fencing and vegetation along the side and rear property lines.

Conclusions:

- The essential character of the neighborhood would not be substantially altered as a result of the variance.
- The variance should not adversely affect the delivery of governmental services as the structure would be outside of the utility easement to the rear.

Motion:

THAT THE REQUEST BY ANTHONY PELLO FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE YARD TO CONSTRUCT A FREESTANDING GARAGE 949 CLAYTON DR., AS PER CASE NO. VAR 02-2024, DRAWINGS NO VAR 02-2024 DATED JANUARY 4, 2024, BE APPROVED, BASED ON THE FINDINGS AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

2. **Variance – Side & Rear Yard Setbacks – Shed – 99 E. North St. (Joshua Myers) VAR 05-2024**

Findings of fact & Conclusions

Background:

This 60' wide x 134.2' deep (8052 square feet in area) parcel was established in 1938, being part of lot 2 of the original plat of Worthington, and is considered an existing lot of record. A two-story house was approved and constructed last year. The owner would like to add a shed to the property.

Worthington Codified Ordinances:

Section 1149.08 Special Yard Requirements.

(b) No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any "R" District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

Request:

The applicant is requesting approval for a new shed at the southwest corner of the property 0' from the side and rear property lines for variances of 5' each.

Project Details:

1. The proposed shed is 5' deep and 10' wide and is planned for the southwest corner of the property. The shed would be tied into the adjacent fence and adjacent to the property lines.
2. The structure would have a shed style roof, being 8'6" on the north side and lower on the south side. The roof is proposed to be standing seam metal to match the front porch roof.
3. Siding for the shed is also planned to match the front porch, being horizontal 1" x 6" Cypress. Six foot wide bypass doors would be on the north side and finished with the same siding.
4. There are trash cans stored on the apartment property south of the proposed shed.
5. The Architectural Review Board approved this proposal at its February 8, 2024 meeting.

Conclusion:

The essential character of the neighborhood would not be substantially altered as a result of the variances.

Motion:

THAT THE REQUEST BY JOSH MYERS FOR A VARIANCE FROM CODE REQUIREMENTS FOR SIDE AND REAR YARDS TO ADD A SHED AT 99 E. NORTH ST. AS PER CASE NO. VAR 05-2024, DRAWINGS NO. VAR 05-2024, DATED JANUARY 24, 2024, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

3. **Variance** – Rear Yard Setback at Right-of-Way – Fence – **540 Greenglade Ave.** (Clinton J. Sweitzer) **VAR 06-2024**

Findings of Fact & Conclusions**Background & Request:**

This 2754 square foot house was built in 1970 on a 0.49 acre parcel that is in the R-10 Zoning District and part of the Olentangy Hills subdivision. The lot is at the northwest end of the Greenglade Ave. cul-de-sac and shares a rear property line with W. Wilson Bridge Rd. which is a regional thoroughfare. There is an existing chain-link fence around much of the rear of the property that the owner would like to replace.

Worthington Codified Ordinances:

[1180.02 "R" Districts.](#)

- (a) In any "R" District, no fence or wall shall be erected in the area between the right of way line and the building setback line except for a wall necessary to accommodate differences in grade.

1149.07 Setback of Buildings on Principal Streets and Highways.

The setback for all buildings and accessory buildings along major traffic routes shall be:

- (b) Along regional thoroughfares: 50 feet

Request:

The applicant would like approval to replace an existing fence that is in the required rear yard at the W. Wilson Bridge Rd. right-of-way. The location is proposed on the property line, so the variance request is 50'.

Project Details:

1. The existing fence is chain link and encloses the rear yard with the help of an ~85' stretch on the property to the north.
2. Proposed is a 6' high black aluminum picket fence with a parallel bar 2' lower.

Conclusion:

The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance. Fencing is all along the right of way, and this style should not stand out due to the style and color.

Motion:

THAT THE REQUEST BY CLINTON J. SWEITZER FOR A VARIANCE TO INSTALL A NEW FENCE IN THE REQUIRED SETBACK AT A RIGHT-OF-WAY AT 540 GREENGLADE AVE., AS PER CASE NO. VAR 06-2024, DRAWINGS NO. VAR 06-2024, DATED JANUARY 30, 2024, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

4. **Variance** – Accessory Building Area – Garage – **141 Northhigh Dr.** (William Hernandez/Eagle Home Properties Inc.) **VAR 07-2024**

Findings of Fact and Conclusions

Background:

This property is 1.01 acres in area (111' wide x 391.35' deep) and Lot #52 of the Northhigh Acres subdivision which was approved in 1923. The property is in the R-10 (Low Density Residential) Zoning District. The existing house was constructed in 1979, is about 2200 square feet (sf) in area and sits about 56 feet from the front property line. The owner is planning a 700 sf house addition and renovation, and would like to construct a two-story freestanding garage north of the house.

At the last Board of Zoning Appeals meeting, the owner proposed a 1480 sf garage that would have been in the front and side yard setbacks as well as over the 850 sf limit for accessory buildings. The BZA denied the request although the owner agreed to move the building out of the required front yard. This is a new application for a smaller 972 sf garage that would not need setback variances.

Worthington Codified Ordinances:**Section 1149.08 Special Yard Requirements.**

(b) No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any "R" District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

1123.30 Dwellings.

(b) "Dwelling unit" means one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

1147.01 Permitted and Conditional Uses

In the R-10 Low Density Residence zoning district single-family dwellings are a permitted use.

Requests:

The applicant is requesting approval to have 1432 sf in total Accessory Building Area by constructing a new detached garage and keeping the existing attached garage, for a variance of 582 sf.

Project Details:

1. The proposed garage would be 15' from the side property line and 30' from the front property line.
2. The first floor is planned to be 28' wide x 21' deep (598 sf) and the second floor would be 374 sf in area for total new area of 972 sf.
3. The existing garage is 20' x 23' (460 sf).
4. The new garage would hold two cars and have stairs at the rear of the first floor. The second floor is proposed with a half bathroom, a furnace, and open space. Use as a home office and storage is proposed. An additional dwelling unit would not be permitted.
5. A front house addition and the garage would have similar design (gable roof forms) and matching materials (board and batten siding, stone).

Conclusions:

- The essential character of the neighborhood would not be substantially altered and adjoining properties would not suffer a substantial detriment as a result of the variance. The proposed amount of additional accessory building area would typically be acceptable on a 1.01 acre property.
- The garage could not be used as a dwelling unit as the Code only allows one dwelling unit per property in the R-10 Zoning District.

Motion:

THAT THE REQUEST BY EAGLE HOME SERVICES FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW CONSTRUCTION OF A FREESTANDING GARAGE THAT WOULD CAUSE ACCESSORY BUILDING AREA TO BE OVER THE LIMIT AT 141 NORTHIGH DR., AS PER CASE NO. VAR 07-2024, DRAWINGS NO VAR 07-2024 DATED FEBRUARY 6, 2024, BE APPROVED, BASED ON THE FINDINGS AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

1129.05 Powers and Duties.

(b) Exceptions. In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:

(5) Temporary use permits. A temporary use permit may be granted where the temporary use of a structure or premises in any district where such temporary use shall be for a period of more than ninety days is proposed for a purpose or use that does not conform to the regulations prescribed elsewhere in this Zoning Ordinance for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A temporary use permit for such use shall be granted in the form of a temporary and revocable permit, for not more than a six-month period, subject to a six months' renewal and such conditions as will safeguard the public health, safety, convenience, and general welfare.

(6) Extension and construction completion periods. The Board may authorize, for good cause shown, extension of the time period provided for the completion of structures in the Building Code. However, the Board may not authorize extension of the period for greater than a one-year extension of time subject to one-year renewals and such conditions as will safeguard the public health, safety, convenience, and general welfare.

(c) Area Variances. The Board shall have the power to hear and decide appeals and authorize variances from the provisions or requirements of this Zoning Ordinance. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objective of this Zoning Ordinance. The Board may grant a variance in the application of the provisions of the Zoning Ordinance when it is determined that practical difficulty exists based on the following factors:

(1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

(2) Whether the variance is substantial;

(3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

(4) Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage).

(5) Whether the property owner purchased the property with knowledge of the zoning restriction;

(6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and,

(7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

(d) Interpretation of District Map. In case of any questions as to the location of any boundary line between zoning districts, a request for interpretation of the Zoning District Map may be made to the Board which shall interpret the Map in such a way as to carry out the intent and purpose of this Zoning Ordinance.

(e) Extension of Nonconforming Use. The Board shall have the authority to grant an extension of a building or the expansion of the use of a lot devoted to a nonconforming use upon a lot occupied by such building or use, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building or use became nonconforming, and where such extension is necessary and incidental to the existing use of such building or lot. However, the floor areas or lot areas of such extensions shall not exceed, in all, 100 percent (100%) of the area of the existing building or lot devoted to a nonconforming use.



MINUTES OF THE REGULAR MEETING
BOARD OF ZONING APPEALS
February 1, 2024

A. Call to Order – 7:00 p.m.

1. Roll Call - the following members were present: Cynthia Crane, Chair; Garrett Guillozet, Vice-Chair; Brian Seitz, Secretary; Beth Benzenberg; and Mikel Coulter, Representative of the MPC. Also present were Lee Brown, Director of Planning and Building; and Lynda Bitar, Development Coordinator.
2. Pledge of Allegiance
3. Approval of Minutes of January 4, 2024, meeting
Mr. Coulter moved to approve the minutes and Mr. Guillozet seconded the motion. All members voted “Aye” and the minutes were approved.
4. Affirmation/swearing in of witnesses

B. Items of Public Hearing

1. **Extension of Construction Completion Period – New House – 100 W South St. (Neil Toepfer) EXCP 01-2024**

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact and Conclusions

Background:

This property is in the R-10 (Low Density Residential) Zoning District and within the Architecture Review District in Old Worthington. In March 2018, the Architectural Review Board approved the construction of a new dwelling and garage on the property. The permit was issued in August 2018 and expired in early 2020. The Board of Zoning Appeals approved an extension in May 2020 until the end of that year. In March 2021, another extension was approved until the end of 2021. In December 2021, an extension was approved until the end of 2022. The last extension was approved in December 2022, expiring at the end of 2023.

As the project is not complete, the owner is requesting an additional extension.

Worthington Codified Ordinances:

Section 1129.05 Powers and Duties (BZA)

(6) Extension and construction completion periods. The Board may authorize, for good cause shown, extension of the time period provided for the completion of structures in the Building Code. However, the Board may not authorize extension of the period for greater than a one-year extension of time subject to one-year renewals and such conditions as well safeguard the public health, safety, convenience and general welfare.

Section 1305.06 Compliance with Ordinances

(b) The permit authorizing the work as shown on the approved construction documents is invalid if the work is not completed, inspected, and approved within eighteen months of the issuance of the permit.

(c) Before any work authorized by a permit may continue for which the permit is invalid, the owner shall make application to the Board of Zoning Appeals for an extension of time as required under Chapter 1129 of the Planning and Zoning Code. Failure to complete work within said time period or any additional time granted by the Board of Zoning Appeals shall constitute a violation of this code.

Request:

The applicant is requesting what should be a final time extension until June 2024.

Project Details:

1. The remaining exterior work includes completion of the driveway, sidewalk, siding and deck railing, and landscaping, which the property owner plans to complete in March.
2. Interior work to be completed is installation of a 2nd floor bathroom and 1st floor radiant heating.

Conclusion:

The property owner has made progress with the new house and should be able to complete the project by June of this year.

Discussion:

Mrs. Bitar: Speaking to the applicant this evening, it sounds like they're very close to being done with this project. Although this is the fourth or fifth extension, he's done most of the work himself and is getting very close to being done. I did send out with the application a letter from the people across the street and they're happy that the family will be back and for the project to be done. They want to see the outside stuff done as soon as possible. Staff is very supportive of the June deadline for this, as long as the homeowner agrees.

Mrs. Crane: Questions for staff? Is the applicant here? Please come forward. State your name and address.

Mr. Toepfer: Neil Toepfer, 100 West South Street.

Mrs. Crane: Is there anything you would like to add to staff's presentation.

Mr. Toepfer: No, not really. It's been an incredibly long road and I'm really anxious for this to be done.

Mrs. Crane: It's looking better and better every time you come back.

Mr. Toepfer: Thank you. It's moving forward too slowly.

Mrs. Crane: Any questions for the applicant? Anybody in the audience have anything to say for or against this application? Board members, any more discussion, or motions?

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY NEIL TOEPFER FOR AN EXTENSION OF THE CONSTRUCTION COMPLETION PERIOD UNTIL JUNE 30, 2024, AT 100 W. SOUTH ST., AS PER CASE NO. EXCP 01-2024, DRAWINGS NO. EXCP 01-2024 DATED DECEMBER 28, 2023, BE APPROVED, BASED ON THE FINDINGS OF FACT CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

Mr. Coulter seconded the motion. Mr. Brown called the roll. Mrs. Benzenberg, aye; Mr. Coulter, aye; Mr. Guillozet, aye; Mr. Seitz, aye; and Mrs. Crane, aye. The motion was approved.

2. Variance – Side Yard Setback – Sunroom Addition – 183 Franklin Ave. (Brenda Ruf/Zadnik) VAR 01-2024

Mrs. Bitar reviewed the following from the staff memo:

Findings of fact & Conclusions

Background & Request:

This 50' wide x 200' deep lot was created in 1896 as part of the Griswolds East Side Addition to Worthington subdivision. A house and garage were in place on this lot and the adjacent lot to the east, and the structures were demolished in 1992. Variances were granted in 1992 to allow two new houses to be constructed in the required side yards, 3' from both side property lines. The house at 183 Franklin Ave. is 2144 square feet in area. The property is an existing lot of record in the R-10 Low Density Residence Zoning District.

Worthington Codified Ordinances:

[Section 1149.05 Existing Lots of Record.](#)

The side yard setback for a building addition to an existing primary structure may be reduced to no less than six feet and the sum of side yards reduced to no less than twelve feet if the addition projects no further into the side yard than the existing structure.

Request:

The applicant is requesting a variance to construct a sunroom addition 3.5' from the east side property line for a variance of 2.5'.

Project Details:

1. Although the house was allowed to be 3' from the side property lines, the submitted survey shows it at 2.4' from the east side property line.

2. The sunroom addition is proposed to be about 21.3' deep x 13.1' wide with the main wall 5' from the property line. There is a direct vent fireplace at the middle of the sunroom wall that would extend another 1.5' to the east.
3. The sunroom is designed to match the materials and style of the existing house and would open to a new deck and patio.

Division of Building Regulation Comments:

The direct vent gas fireplace "bump-out" is less than 5' from the property line. The walls within the 5' fire separation distance will need to be a 1-hour fire-resistance rated assembly per [RCO 302.1](#), including the underside of that "bump-out". The through penetration of this rated assembly would not require a penetration firestop system since it is not less than 3' from the property line.

Conclusion:

The proposed addition should not substantially alter the essential character of the neighborhood as the addition would be no closer to the property line than the existing house, be subordinate and to the rear, and the design and materials would match.

Discussion:

Mrs. Bitar: This is a request for an addition to the rear of this house. The history of this property is there was one house that was on this lot in the garage and that went over the property line of this. So, there were two 50-foot lots that were there and then in the early 90s there was a request to demolish that house and use the two lots as two separate lots, but they also asked for a variance to allow both houses to be three feet from the side property lines. So that's where these are at. The addition would not be as close as that to the property lines, but this is what was in your packet and what was submitted. What I didn't see was a subsequent email that asked for instead of just the fireplace to be to that three-and-a-half-foot line for the entire structure to be over that close and actually the applicant tonight told me it's 3.1 feet. So, I'll pull that up and we'll take a look at that too, but this is the basis of the design of the sunroom that would be in the back.

Mrs. Crane: Oh, are there any questions for staff?

Mr. Seitz: So, Lynda, you're saying that sliding over to the 3.1 feet, which means that the fireplace pop out is gone.

Mrs. Bitar: Right. There will not be another fireplace pop out. It'll just be flush with the rest of that wall and have a direct vent. So, a vent will be the only thing that's on that wall. On their survey, they showed 2.4 feet for the existing house. I'm not sure whether it's that or whether the existing house is that three feet. Looks like they want to set back about a half a foot to the addition from wherever that existing house sits. So, I think that should be fine as long as the neighbors have no objections to it.

Mrs. Crane: Come forward to the microphone, state your name and address.

Ms. Brenda Ruf: Brenda Ruf with Dave Fox Design Build.

Mr. Evan Little: Evan Little, with Dave Fox.

Mrs. Crane: So, what is the situation with the measurements then?

Mr. Little: So, through the selections process, like we often do, the client had some different ideas and we've changed the layout. We think it's a better-looking design. The issue was the narrowness of the original design. It was barely 12 feet and has been choked off even more by the fireplace.

They had originally wanted to do with like a freestanding wood burning stove and then they changed completely to a direct vent fireplace, and then one of the windows, instead of being a full-size window, was reduced to a transom window, kind of gives everybody a little bit more privacy.

Mrs. Crane: So, what then is the variance that you're asking for?

Mr. Little: So, the new addition would be up to the minimum amount that we've kind of been led to at three feet, and then the whole wall and the south gable end would be one hour fire rated.

Mrs. Bitar: But the variance would be three feet because it's an existing lot of record - six feet is the requirement. The thing I was curious about though was the 2.4 feet that is measured there. Was that by an actual surveyor or where did that measurement come from?

Mr. Little: Yeah, the surveying service that we, the client hired before we started doing anything.

Mrs. Crane: I'm still confused. So, the current house is 2.4? That's what it looks like.

Mr. Little: I can touch the neighboring house.

Mrs. Crane: Yeah, that's pretty narrow, and so the addition is going to be three feet, which means it's a little farther away from the property line?

Mr. Little: Yeah, so the gutter and everything will be behind the existing home and nothing will go beyond that is the goal.

Mrs. Crane: Okay. We're not approving the 2.4 because that's already there.

Mr. Seitz: So, then the original variance allowed for three feet, this addition doesn't fall under that same variance.

Mrs. Bitar: No, because the code does not allow additions to go closer than six feet, even if the existing house is closer.

Mrs. Crane: Any questions or comments for the applicant? Is there anyone in the audience who would like to speak for or against this proposal? Do we have any more discussion or motions?

Motion:

Mrs. Benzenberg moved:

THAT THE REQUEST BY BRENDA RUF ON BEHALF OF KARLA AND KURT ZADNIK FOR A VARIANCE TO ALLOW AN ADDITION IN THE REQUIRED SIDE YARD AT 183 FRANKLIN AVE., AS PER CASE NO. VAR 01-2024, DRAWINGS NO. VAR 01-2024, DATED JANUARY 2, 2024, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mr. Guillozet seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Seitz, aye; Mr. Guillozet, aye; Mrs. Benzenberg, aye; and Mrs. Crane, aye. The motion was approved.

3. Variances – Front & Side Yard Setbacks, Accessory Building Area – Garage – 141 Northhigh Dr. (Eagle Home Services) VAR 02-2024

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact and Conclusions

Background:

This property is 1.01 acres in area (111' wide x 391.35' deep) and Lot #52 of the Northhigh Acres subdivision which was approved in 1923. The property is in the R-10 (Low Density Residential) Zoning District. The existing house was constructed in 1979, is about 2200 square feet in area, and sits about 56 feet from the front property line. The owner is planning a house addition and renovation and would like to construct a two-story freestanding garage north of the house.

Worthington Codified Ordinances:1149.01 Yard, Area and Height for Dwellings and Accessory Structures.

The required minimum front yard in the R-10 Zoning District is 30'.

The required minimum side yard in the R-10 Zoning District is 8'.

Section 1149.08 Special Yard Requirements.

(b) No accessory buildings shall be located in any front or side yard except under unusual circumstances where such building shall not conflict with the intent and purposes of this Zoning Ordinance, or, where enforcement shall result in extreme hardship. In either case the decision to permit such activity shall be made by the Board of Zoning Appeals. Accessory buildings such as garages and storage buildings exceeding 120 square feet in area may be located in the rear yard provided such buildings are set back at least eight feet from the side lot lines and ten feet from the rear lot line. Accessory buildings of 120 square feet or less in area must be set back at least five feet from the side and rear lot lines. In any "R" District the total area for accessory buildings shall be limited to 850 square feet and must be compatible in materials and appearance to the other buildings in the area.

1123.30 Dwellings.

(b) "Dwelling unit" means one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

1147.01 Permitted and Conditional Uses

In the R-10 Low Density Residence zoning district single-family dwellings are a permitted use.

Requests:

The applicant is requesting approval to construct a new detached garage at the northwest corner of the property and is asking for the following variances:

1. Front Yard: Garage – 19' 11 ½" from front property line; Variance – 10' ½"
2. Side Yard: Garage – 5' from west side property line; Variance – 3'
3. Accessory Building Area: 1940 square feet total; Variance – 1055 square feet

Project Details:

1. The proposed garage is 32' x 26'4" and would sit on a concrete slab north and west of the existing attached garage on the house.
2. The new garage would hold three cars and have stairs at the rear on the first floor. The

second floor is proposed with a full bathroom, a furnace, and open space. Use as a home office and storage is proposed. An additional dwelling unit would not be permitted.

3. A front house addition and the garage would have similar design (gable roof forms) and matching materials (board and batten siding, stone).

Conclusions:

- Placement of freestanding garages closer to the right-of-way than the main house is not typical in Worthington.
- Along Northhigh Drive the structures are at least 30' from the front property line with most, including houses adjacent to this property, being set back further. The proposed placement could alter the character of the neighborhood.
- The Accessory Building Area variance would typically be acceptable on a 1 acre property if the location was not problematic.
- The garage could not be used as a dwelling unit as the Code only allows one dwelling unit per property in the R-10 Zoning District.

Discussion:

Mrs. Crane: So they're keeping the existing garage and adding a three-car garage?

Mrs. Bitar: That's correct.

Mrs. Crane: Is that planned for approximately where that truck is?

Mrs. Bitar: It will extend closer.

Mrs. Crane: Closer to the street?

Mrs. Bitar: Yes. Like 20 feet from where this wall sits is where it will be. In this area there are some trees but as you can see in the winter it does not do a great job of screening. The next property over also has some trees in that area but that helps a bit but most of the houses are set back 30 feet or further in most cases along the street.

Mrs. Crane: Questions for staff?

Mrs. Benzenberg: Based on what you said there are no other houses on the street that have variances that have built even attached structures closer than 30 feet.

Mrs. Bitar: Correct.

Mrs. Crane: Is the applicant here? Please come forward, state your name and address in the microphone. Oh, then you'll need to be sworn in.

Mr. Brown: Do you swear that the testimony you are about to provide is the truth? If so say I do. Thank you.

Mr. William Hernandez: William Hernandez, 141 Northhigh Drive.

Mrs. Crane: And do you have anything to add to staff's presentation?

Mr. Hernandez: No. I mean, other than I want to have a garage in there, you know, I mean, my storage is pretty limited in my garage and I'd like to have a garage in that area because I have two cars that have to sit outside all the time and got damaged by the tree.

Mrs. Crane: Well, we generally do not approve structures in the front yard, basically. Pretty limited circumstances and I can't recall approving something. Maybe a fence but not a garage. Did you talk with your designer or your builder about moving it to the back or some other options?

Mr. Hernandez: We talked about it, but we went over to the back and we still need like a driveway

at some point and that area is the only one we can be access to it because if we put a driveway to the back, we're still going to be closer to the neighbor of this side and the other one is even closer so we don't have a space. I have a swimming pool and I have a patio in there in the back too. Really, I mean, I got a big space way in the back because there's one acre lot but I, unfortunately, it's the only space that I have in there that I can put a garage in there.

Mr. Coulter: I guess when I look at the drawings that have been presented and the photographs of the front of the property and this image there that is in front of us, I don't necessarily have a problem with it. In part, because you've got good sight lines, it's not a sight line issue, there are trees that are going to be between the garage and the street that are very mature trees. Mrs. Bitar is correct in the winter you'll see the garage, somewhat because the leaves have fallen, but they've also made a pretty good attempt in the design of the architecture to tie the house to the design of the garage. It is unusual, agreed, but I don't know that it's necessarily overbearing that I would vote no against it.

Mrs. Benzenberg: This is not an ARB.

Mr. Coulter: No.

Mr. Guillozet: You are aware that if the variance was granted this evening, you understand that you cannot have someone living in the garage, it cannot be considered dwelling, someone cannot live there.

Mr. Hernandez: Absolutely. I'm aware of it. Even I talked to the building department and my designer, if we have to remove the plumbing from it, it's fine if it had to remove the top area as fine as well, so I'm willing to give up that. I mean, I don't need it, because I'm going to have this space, I can put it on there, but I'm not planning to use it as a business or have somebody living over there. Definitely not.

Mr. Guillozet: I just wanted to make sure you were aware that that wouldn't be permitted.

Mr. Hernandez: I understand that.

Mr. Seitz: I have a couple of questions for you. Can you flip back to the site plan? I'm just curious where the neighbor's house sits. I wasn't smart enough to pay attention to it when you put it up there the first time. From the photos, it almost looks like we're looking at the side, but, yeah, so there.

Mr. Coulter: Their house is going to sit back behind the garage.

Mr. Seitz: Yeah. Well, I'm encouraged to hear that you're aware of not being able to utilize it as a dwelling. I am also encouraged to hear that we may be able to craft a motion to remove the plumbing as part of that, if that's something that we would be able to, I think, is something that will happen if something is close towards the street. So I'm just curious if we push it back further, and the variance on the side yard becomes bigger, right? I know you're requesting a three-foot variance on the side.

Mrs. Crane: I think it's going to, once it's up there, it's going to stick out like a sore thumb, and then other people are going, you know, everybody's got a nice empty front yard, right? That they want to put stuff in because they have stuff in the backyard already. Our laws are set up to have this green space, have these big front yards, not to have a lot of fences or accessory structures, all of which we've turned down in most cases except like in a rural type area.

I think once it's up there, it's not going to look benign. It's going to look just very, it's going to change the way the street looks. I mean, it's a nice looking design. I don't have any problem with that. I do kind of have a problem with the plumbing, but you're going to take that out, you said.

The area is because you have a second story and we approve that fairly regularly. So, I think the problem for me is the distance to the street. The placement in the front yard, so close to the street. Such a big structure, not just even a little fence, but you know, a big building. I'm having trouble getting over that, frankly, and I don't know. It just seems there should be another way to get what you want without such a big intrusion, such a big significant variance being requested.

Mr. Hernandez: I thought about it doing it smaller as well. I do like a small two car garage and so did three. I mean, but the space is big. It's like if I can move across to the house, one to two car garage, I can do that as well. Instead of a three, I could have a two.

Mrs. Crane: I don't know that that would do it. For me, plus that's a big change to just kind of do on the fly at a meeting, right? I mean, that's something you probably want to plan out.

Mrs. Benzenberg: If it was 30 feet from the street, he would not need the variance and he would be permitted to put it there.

Mrs. Bitar: 30 feet from the front property line.

Mr. Seitz: But you'd still have the accessory variance. You'd still have the side yard.

Mrs. Bitar: Correct.

Mrs. Benzenberg: Yes, but not putting it in the front.

Mrs. Bitar: 10 feet back from what you see here.

Mr. Coulter: We're going to take the garage as proposed and push it back to that 30-foot mark so you get outside the front yard setback. The thing that would change is you'd lose the parking space on the other side of the garage and you would encroach maybe another foot, foot and a half into that side yard setback and keep it at the same size.

Mr. Hernandez: Yeah, they designed it that way because if we park in there, basically it's not going to be parking in the back. It's going to be garage. So, if we park in there, if it would come out, so we need to plan to turn and go to change.

Mr. Coulter: I know what you're doing because you could take that parking space and I'll save the north side of the garage because north is typically up but it may not be and flip that to the other side. So, the building is the center showing the architecture is the same. You're just getting it outside of that front yard setback.

Mr. Hernandez: That's doable too.

Mr. Coulter: Does that make it a little bit more agreeable? I know Cindy still has an issue with it.

Mrs. Crane: So, what you're saying is take this rectangle and push it back and this empty space is down here.

Mr. Coulter: Yeah.

Mrs. Crane: So where are we at then?

Mr. Coulter: We're still looking at the size of the accessory square.

Mrs. Crane: I know, but does that get us in code as far as the front yard setback? I don't really, that's what's bothering me. I'm not really concerned. I'm concerned about the plumbing, and I'm not really concerned about the other things.

Mr. Coulter: Okay. I can tell you I've done this to a house over on Sinclair Road and I put in a five car garage and it's in the front and one of the, it's outside of Worthington and the concern was well, everybody up and down Sinclair Road was going to do that. Nobody has, and he was a car collector, and maybe you are too.

Mr. Hernandez: Yeah.

Mr. Coulter: But I think that may help some of the members of the board, if we can push that back

to that 30 foot line, then we don't have the issue on the front yard setback and then just take that parking area and just flip it on the other side, and I understand the backing up radius and magnet that you're concerned about, but if you have little minis, it's not a problem.

Mr. Hernandez: I can deal with that. I mean, if I have to, like, do the driveway a little wider or something like that.

Mr. Brown: Madam Chair, I do want to, I mean, I know we need to take testimony from everyone in the audience, but at least as far as the plumbing staff really does not have a concern with the plumbing. Probably half of our accessory structures have have plumbing to them. We can always regulate it from the standpoint of it was to be used as a dwelling. As Lynda mentioned, at Council, we have been discussing allowing accessory dwelling units in the city. It's not going to be immediate. It may be a year from now or, you know, or two, but at least from the staff standpoint, if it was used for an office with a bathroom, as long as it's not used as a residential dwelling, you know, which is what Don Phillips will stamp on the drawings, we really don't have a concern for that part of it, but just wanted to let you know that.

Mrs. Crane: I guess I'm concerned about the shower. I mean, I don't mind if there's a powder room up there. That seems perfectly reasonable if you're using it as a home office, but why do you need a shower?

Mr. Brown: Truly, if we're looking at it from that it could be used as a residence down the road, you obviously would want to have a shower at least that part of it. But we can control a lot of that through the zoning that if someone was actually living in it, we can take that through the code enforcement process. We have a lot in old Worthington that actually have, you know, two or three car garage separate that have offices above with full restroom, some have kitchenettes, and we just monitor just to make sure that they're being used as what they are to be used as.

Mr. Seitz: Getting there, feels like we're making some progress. Is it too much to ask that we see a drawing?

Mrs. Bitar: I don't think that's too much to ask at all because I'm not sure this should go any closer than five feet to the neighboring property line, and I'm not sure this size structure is going to fit there and still be at the 30-foot mark. So, if he could come back at the next meeting to submit a new site plan to show this. If you wanted to approve just the side set back and the area, you could do that at this meeting and just not approve the front. Then if he finds that he can't do that, he's going to have to change it, but as long as it's out of that front setback, you don't have to see it again.

Mrs. Crane: Well, I mean, even if you were to build in the back, the same building, you would still need the area variance.

Mrs. Bitar: Right. He's going to need that no matter what, and it seems that he'll need the five-foot setback if he builds in the front.

Mrs. Crane: All right. Well, you heard kind of where we're going. Is there anybody in the audience who would like to speak for or against this proposal? Please come forward, state your name and address. You've been sworn in?

Mr. Gary Rutledge: Yes. Gary Rutledge, 195, North High Drive. Why do we have laws and regulations? Why do we have traffic laws? Why do we have building codes? Why do we have a zoning code? What's the purpose of it? What's the purpose of all these things? What would you say the purpose of the Board of Building Appeals is about, what is your purpose? Can you state that to me?

Mr. Coulter: The Board of Zoning Appeals.

Mr. Rutledge: Zoning Appeals, excuse me.

Mrs. Crane: I mean, I can respond. Would you like to finish your statement?

Mr. Rutledge: No, I'd like to know that going forward.

Mrs. Crane: There are laws and regulations that the city sets down, but we are here to grant exceptions when it is difficult for people to meet that. For example, we have in Old Worthington, many properties that are old, that the lot lines were drawn before the zoning was in effect before we required a certain minimum frontage. So, we get a lot of things that encroach on the setback. These houses that were in the previous application, they were existing. I'm not sure how that happened, but they were already encroaching on the setback. So, we have to decide when it is appropriate to grant an exception for people. Hopefully, they go through staff, they come up with an agreeable proposal that by the time it gets to us, it's something that generally we can approve, and I agree with you about the laws, and we have certain setbacks, especially for our front lawns. We kind of guard that pretty carefully, but sometimes somebody wants a front porch. I wanted a front porch. It was technically a few feet into the setback. So, I had to come here, but we like people out on their front porches talking to their neighbors. So, I mean, those are just examples of the kind of things that we do.

Mr. Rutledge: I appreciate you're explaining that. Thank you. I'm curious as to what the criteria you're using to evaluate this applicant's request for three variances.

Mrs. Crane: We have in our code, and they usually give it to us in our packet, but there are certain things that we look at whether the applicant wants can be done a different way, and he can get what he wants, but maybe there is no different way. Maybe what are some of the others? The effect on the neighborhood, for example.

Mr. Brown: I can help you if you want. I think one of the things I'll lead off with is we also have a zoning code from 1971 with a town that was founded in 1803 that has completely developed, completely different over time, and we have lots that are 50 feet wide by 200 feet deep, to lots that are five acres in size. This lot being one acre. So, it's definitely not a one size fits all, but what the Board is charged with and what I think the board feels is trying to work with citizens within Worthington to fit in with that, but the Board is charged with whether the property question will yield a reasonable return; whether there could be any beneficial use of property without the variance; whether the variance is substantial; whether the essential character of the neighborhood would be substantially altered; whether adjoining properties would suffer substantial detriment as a result of the variance; whether the variance would adversely affect the delivery of governmental services, example, water, sewer, trash, garbage; whether the property owner purchased property with knowledge of the zoning restriction; whether the property owners predicament feasibly can be alleviated through some other method than a variance; whether the spirit intent behind the zoning requirement would be observed, and substantial justice be granted by creating the variance. So, that's what they're charged with in looking at it. But again, I think since it's all residents on this board, they try to work with the property owner to get to something that's not completely out of code, knowing that there's no perfect code.

Mr. Rutledge: All the things that you just read, I don't see any of that pertaining to this, to this request. This garage structure is enormous. Can you visualize it's 24 feet high, at least? From that end of the acoustical panels, to that end of the acoustical panels, to the ceiling, to the door is what this structure is going to be. Think about that in your front yard. From that wall to that wall to the ceiling is the peak of the roof, to the entry doors. It's enormous. It doesn't fit in with the context of

the neighborhood. It dwarfs the house that he owns by at least 10 feet in height. It dwarfs the house next to that. It dwarfs the two houses across the street that are all single-story residences. You're looking at this from your window and your living area from your front yard, and you're going to see a structure that belongs in the backyard or belongs in Delaware County on a farm.

I find it interesting that the overall height of this structure was not shown in the drawings. You have to calculate it. You have to look at that and develop a scale off the drawing from some other element to figure out what the overall height is. He stated reasons in his application for wanting a three-car garage. Existing garage is too small. I just don't know the storage area. You can't put two cars in it. You know everybody that has a two-car garage has more junk and stuff than we need. I have an outbuilding that's in my backyard that I put things in. Was that even considered as an option to put an outbuilding in? He said he was going to respect the property lines and the setbacks. He's not done that at all. That was in his application request. He says the square footage of this building is going to be a little bit larger than required. It is huge. It's more than 850 square feet and an upstairs office. Why does anybody need an upstairs office that's 700 square feet or more? I'll tell you why because he owns a business and he's had these issues within the neighborhood before that I suspect that that office is going to be used for commercial use and he's going to have three or four or five employees working in that office. There's an outside entrance to it. There's an inside entrance to it so he can have clients coming and going. He can have employees coming and working in that office. The home office idea is a great thing, especially after the pandemic, but you're looking at people that have home offices that are 10 by 10 or 12 by 12, 144 square feet. This is five times bigger than any home office. This is not a home office. I contend that it's a commercial office and he wants to operate a commercial business in a residential neighborhood which does not meet Worthington's requirements.

I would suggest that he look at a two-car garage and a one-story building. The two-car garage would give him the opportunity to park his two other cars inside so it is not being damaged by limbs falling off of trees and nuts as he says in his application and things falling off of trees, that he could have that opportunity to put those in a building. He can still do an outbuilding and create additional storage. He's doing a renovation to his home. Why not put the home office in the renovation of the home if it is truly a home office and not a commercial business? I'd like to see the building built in context with the fabric of the community to match what he's doing with the renovation of his house. I think the renovation that he's proposed to his house is wonderful. He's done a lot of work on the house since they bought it, which was bought originally to flip. Then he decided he liked the neighborhood so much that he decided his family would benefit from being here and stayed. That's fine. We all welcomed him and thought that was wonderful. But the neighborhood, and I've talked to a number of people in our neighborhood, are adamantly opposed to this structure. Being two stories, being three cars. If it was two-car garage and a one-story building, it would be acceptable. Thank you.

Mrs. Crane: Are there any questions for the speaker?

Mr. Brown: I did want to speak up. I think we cannot speculate that he's going to run a commercial business out of that as part of our review. If he does, we will go after him through code enforcement. We do allow for home occupations, but you cannot have the employees so we can handle that. I just wanted you to know that. I think we heard the applicant state that they would reduce a story also as one of the scenarios. We do have that ability that we reduce the square footage of this also.

Mrs. Crane: Is there anyone else in the audience who would like to speak for or against this proposal? Yes, sir. Please come forward. State your name and address.

Mr. George Bleimes: George Bleimes, 158 Northhigh Drive. I just think any garage in that position is going to be the only thing like it in the neighborhood, and is going to be completely out of character for the neighborhood. I know you have been talking about whether you can tweak this or that, but I don't think any of it is going to work. It's going to be a one off in the neighborhood. In my mind, it won't work at all. Any garage in that spot. That's all I have, thank you.

Mrs. Crane: Are there any questions for this speaker? Anyone else? Yes, sir. Were you sworn in?

Mr. Brown: Do you swear that the testimony you are about to provide is the truth? If so, say I do. Thank you.

Mr. Colin Smith: My name is Colin Smith, 145 Northhigh Drive. I am in the house to the east, William's next-door neighbor. I have been listening to the whole thing, and I think as far as the, some of the going back and forth as far as the size and the setback, especially the neighbor to the right as you face the house, which I'm to the left. I think that, you know, they would speak more directly to that setback and their opposition or not. Just to bring again, adding a little part of the story behind it, there was two small sheds that were extremely close to right behind that tree there that did exist, and he did remove them and put in a lot of really nice stonework and stuff. So, my testimony is mostly that everything he's done so far has been really nicely done and has really improved the overall neighborhood. I do understand some of the concerns. I would not put myself in the adamantly opposed. I do think that maybe if you all come to an agreement with some of the pushback, the setbacks and some of the size that I would have faith that he would do a really nice job with it once the details there are worked out. But I feel like, especially the neighbor to the right has the kind of the biggest concern as far as that goes, but like I said, overall I feel like there has been a large improvement to the value and it does sound like there are some details that need maybe tweaked, but I think that's it unless there's questions for me.

Mrs. Crane: Just to clarify, your house is not on the side where the garage is proposed to go. You're on the other side of the house?

Mr. Smith: Right, that is my house right there, yes.

Mrs. Crane: Questions for this speaker?

Mrs. Benzenberg: Lynda, I forgot, but I think the packet did mention the structures that were there previously. Were those, was that a different application than I'm just remembering? Were those removed recently? Do we know anything about those?

Mr. Hernandez: I removed them when I did the renovation on the house.

Mrs. Crane: Could you speak into the microphone?

Mr. Hernandez: I'm sorry. The building department asked me to remove them if I could remove them, I guess there were permitted or something and they had a problem removing them before. So, when I bought the house, they asked me if I can remove it and I did. I did remove them.

Mrs. Benzenberg: So there was something there before that were not permitted that you removed? Okay, I was just curious about how close they were to the side yard and different things like that if they were in the location, et cetera...

Mr. Hernandez: Okay, and just one thing, I just want to clarify a little bit, I do, I do own a business, but for the business, I have two acres and I have a kind of large office building in the south end of Columbus. So, I do not need this one to be a business. So, just to make it clear, I understand.

So, they think it might be a business. It's not going to be. I own quite a few properties and I have

a business office and everything.

Mrs. Crane: Briefly, come forward and just give your name again for the record.

Mr. Rutledge: If it's a two-car garage, you could meet the 30 foot setback. If it's a one-story building, he's like 624 square feet, which is under the 850. So, those two variances go away. The only one you'd have to consider is a side yard setback.

Mrs. Crane: So just to clarify, there is a setback, and if he doesn't encroach in front of it, then he doesn't need to ask for our permission, correct? Okay. For the location. For the side yard, we have approved, this is not a particularly unusual side yard request. For the size request, it is significant. But part of that is due to the second floor. If there was not, it could be the same height. If there were no floor there on the second floor, then you don't count that square footage. Okay, you double the square footage when you put a floor in and is it stairway or a ladder or something, get up there, it's just a store or stairway going up to it?

Mrs. Bitar: Right, when there's a stairway going up to it, we count it.

Mrs. Crane: Yeah, so I mean, and those are popping up more and more because especially in Old Worthington, the kind of tall garages look more residential and they kind of fit in, and so people use the height and they put in a floor and they put in an office or a storage or whatever and they, and we count it double, and that is not particularly unusual. For me, the placement is definitely unusual if there is a way that he gets it within code, then he doesn't need my permission. because it's not in the architectural review district. All right. And he doesn't need the permission of the Board. So, I hope that clarifies for people what we're considering tonight, and I would be personally agreeable to voting on Lynda's suggestion that we just deal with the side yard setback and the square footage variance but not the front yard setback variance. And so if we have no further discussion from the audience or board members, do I hear any motions?

Mr. Seitz: Sorry, I want a point of clarification first. If we craft a motion, and I'm not saying I want to do this, folks, if we craft a motion, approving a five-foot setback or approving the side yard, and we craft the motion also saying a total variance up to 1,055. What I want to make sure is that we're not just, we're not crafting area variance that allows the applicant to grow larger than what we see, right? So, it's an up to, but if it gets smaller because Mr. Hernandez has now heard what his neighbors are saying, right? I'm assuming Mr. Hernandez is going to go back to the drawing board, come back to this group with something that he can talk about being in that front yard, and I just don't want to lock him into saying it's five feet and it's 1,055 square feet.

Mr. Coulter: We're trying to do it without him having to come back. You know, if we move the garage towards at the 30 foot setback.

Mr. Guillozet: Can we ask the applicant, can I ask him?

Mrs. Crane: Sure.

Mr. Guillozet: So, you have heard the concerns of your neighbors. You've heard concerns of the Board regarding the size, the location in the front yard setback. You by no means have to, but you have an option to ask us to table it where you can then come back next month with revised drawings addressing some of these concerns. Now you may very well get a variance tonight that approves all of this, but I think that there are enough concerns that if you are willing to, it might be an option in your best interest to come back with a revised plan. You by no means have to do that. That is an option for you. I just want to make sure you understand that it may not fall on one side or the other given concerns about both the size, the location in the front yard. I personally have no issue with the side yard setback. So, I think that's fine.

I think the three-bay garage two story is a very large structure. I've seen the pictures of the street. I drove down there. I personally feel like it is out of place with being that close. However, if you get it back within 30 feet and reduce the size, it is much more amenable to me. So that's where I'm following on this. I just wanted to speak up and share that with you.

Mr. Hernandez: Yeah, and I understand that part, and that's what I told you guys from the beginning that I can, if I can cut one and there's the two-car garage I can do it, but then that's what you say that it's kind of decision. I mean, too short to make or something, but I mean, I can make the decision because I'm the owner. If the two stories is the problem, I can cut it down to be one story. So that's not a problem right there. If the three-car garage is a problem, I can do two car garage.

I just don't want to do something really tiny in there because of the property that's large.

Mr. Guillozet: And I'm not asking you to cut it into a fourth, but I think when you look at the street, your house is a single-story house. The houses around you are single story houses with a garage that's significantly higher. I personally feel like it does not fit in with the intent of the neighborhood. And I think it is rather large for that purpose. Now, I'm one person. There are four other people up here. I can't speak for them, but I wanted you to hear at least my concerns and you can do with that as you will.

Mrs. Benzenberg: I think what you said is correct. We are permitting up to 1,055 square feet if that's where the vote goes today. So, you could build something that's 900 total square feet of accessory dwelling unit. Even, that's the variance, not the total. So, 900 square feet above. You know, you don't have to, you could reduce the size, even if we approve the 1,055 and the five-foot setback.

Mrs. Crane: I just think if we don't want it to be that big, then we should require it be smaller because people generally will do what they're, you know, allowed to do, which is not unusual.

Mr. Coulter: What you need to do is gauge how we all feel up here, and there's five of us, and obviously we have five different opinions, and you need three yeses. So, the challenge is it's been suggested that we table it tonight and you go back and revise your drawing. I'm saying if you want a three-car garage, that's what you need to present. You know, we've already figured out you can move it back, so the 30 foot comes off the table. I think I don't believe there's the issue of the five-foot side-run setback. It's primarily one of scale. If you took that design and if you had that second floor in there and took it down to a two-car garage, Gary, it would look terrible. In this, I would rather see this. The scale doesn't work, trust me on that. So, it comes down to what you want to ask us for. So, you can roll the dice and say you're willing to go back to 30 feet, five-foot setback, the design as it is and see how it goes. If it fails, then you always can apply and come back. Or you can table it, redo your drawing, come back, say, okay, I'll do a three-car garage, but I just want one story, and then we visit it next month.

Mrs. Benzenberg: Can we vote on the side yard setback and the square footage variances separately?

Mrs. Bitar: No.

Mr. Seitz: So, one of your neighbors asked what the purpose of this Board was right?

And Mr. Brown gave him a nice definition. What this board is not is your design team, right?

So, to be very respectful to Mr. Coulter, that's not your job. That's his job. I'm relying on you to be the designer. I'm relying on you to sniff out what's gonna happen up here. You have three votes, right? My personal opinion as everybody has told you theirs is I think there's too many moving parts for me to separate it out into three separate pieces into saying yes to this, yes to this, no to

this. My preference would be that you table it and you come back based on what you've heard from us, based on what you've heard from your neighbors, and let's review it again.

Mrs. Crane: I am always more comfortable with changes that are to this extent, of having new drawings because it's hard to just keep it all in my head.

Mr. Guillozet: If you would like us to consider the proposal as it is, you can ask us to move forward. If you would like to come back with a revised proposal, you can also ask us to table it. It is entirely up to you.

Mr. Hernandez: I would like you guys to consider it. I will move it, I will move it the 10 feet if I can just keep the same design.

Mr. Guillozet: But you would like us to consider it as it is submitted. Okay.

Mrs. Benzenberg: I think he's asking us to move it back the 10 feet.

Mr. Hernandez: I will move it, I will move it back 10 foot and I will move that green space that is gonna be in between the house and the garage. I will move it to the street side of it.

Mrs. Crane: So you're saying you want us to remove the front yard setback variance from the request? Okay.

Mr. Guillozet: And are you sure you can get it in outside the 30-foot setback? Like do you know where that is? Okay.

Mrs. Bitar: I don't think that matters because if he needs to reduce the size or do something different to get it out of that front setback, then it'll be less than what you might approve.

Mr. Seitz: Just to be clear, if we have a no vote, the applicant can redesign, resubmit, and be back in front of us next month.

Mrs. Bitar: That's correct. Yes. The application deadline is probably tomorrow.

Mrs. Crane: So that would be unlikely, and he would have to submit a new filing fee.

Mrs. Bitar: Yes. It's only \$25 for the application.

Mrs. Crane: Okay, but that's there.

Mrs. Bitar: That is a consideration, yes.

Mr. Hernandez: I want you guys to go ahead and vote. If I can move it to the 10 foot inside the property. I can fit under and keep the same design.

Motion:

Mr. Guillozet moved:

THAT THE REQUEST BY EAGLE HOME SERVICES FOR VARIANCES FROM CODE REQUIREMENTS TO ALLOW CONSTRUCTION OF A FREESTANDING GARAGE IN THE SIDE SETBACK, AND EXCESSIVE ACCESSORY BUILDING AREA, AT 141 NORTHIGH DR., AS PER CASE NO. VAR 02-2024, DRAWINGS NO VAR 02-2024 DATED JANUARY 4, 2024, BE APPROVED, BASED ON THE FINDINGS AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

Mr. Seitz seconded the motion. Mr. Brown called the roll. Mrs. Benzenberg, aye; Mr. Coulter, aye, Mr. Seitz, nay; Mr. Guillozet, nay; and Mrs. Crane, nay. The motion was denied.

4. **Variances – Setbacks on a Corner Lot – Fence – 27 E. Riverglen Dr. (Ryan McChesney)**
VAR 03-2024

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background & Request:

This property is the result of a combination of Lots 34 & 35 of the Colonial Hills subdivision of 1927. The 1872 square foot house was built in 1930 and is on the eastern 50' of the property. The western 50' is vacant. Lot depth is 158' feet for total area of 15,800 square feet. The property is in the R-10 (Low Density Residential) Zoning District.

Worthington Codified Ordinances:

1149.01 Yard, Area and Height for Dwellings and Accessory Structures.

The required front yard in the R-10 Zoning District is 30'.

1149.08 Special Yard Requirements.

(a) At corner lots, no accessory uses, accessory structures, structures, material or equipment storage shall be located in any required front yard. Side yards fronting on the adjacent street can be reduced to two-thirds of the required front setback from the right of way of the adjacent street.

The required side yard along the alley is 20'.

1180.02 "R" Districts. (Fences)

(a) In any "R" District, no fence or wall shall be erected in the area between the right of way line and the building setback line except for a wall necessary to accommodate differences in grade. No fence or wall in an "R" district shall exceed a height of six feet.

Request:

The applicant would like approval to install fencing along the alley, potentially as close as 1' from the right-of-way line for a variance of 19'. The north end of the fence would start about 28' from the E. Riverglen Dr. property line for a variance of 2'.

Project Details:

1. An existing wire fence runs along the alley amongst a thick tree and brush line. The fence has been in place for many years and a variance was never granted for its placement.
2. Proposed in place of the wire fence is a 6' high solid cedar fence with rails at the top and bottom and placed between the existing vegetation as much as possible. The new fence would mostly be about 2.5' from the alley property line.
3. The owner states the tenants in the adjacent apartments and the dumpster service vehicles sometimes bump into the brush along the alley, but the new fence would be 6' back from the edge of the brush so should not be in the way.

4. Other fences are in similar locations along this alley.
5. The fence would stop about 28' south of the Riverglen Dr. property line, approximately lining up with the house.

Conclusions:

- The essential character of the neighborhood would not be substantially altered as a result of the variances.
- The variances should not adversely affect the delivery of governmental services.
- The owner did not have knowledge of the zoning restriction as he thought a variance had previously been granted.

Discussion:

Mrs. Crane: It's not a horizontal fence?

Mrs. Bitar: There are horizontal rails at the top and bottom and then vertical parts. That is what we're expecting. There are other fences along the same alley. In fact, I believe the Board approved one a few months ago that was a little further north. It is a typical request along here as people want to have a little privacy in their side and backyards.

Mrs. Crane: This is a good example of a property that needs some consideration. They have basically two streets which the code says we're supposed to try to avoid, but the alley counts as a street so they get a street setback requirement. Is that commercial property on the other side?

Mrs. Bitar: It is multi-family residential. So, screening wise it's considered the same as commercial, but because they're parking is directly adjacent there's no opportunity for fencing on the apartment side.

Mrs. Crane: Right and it's an improved alley and sometimes we get requests that involve an alley that isn't even improved. It just looks like a big bunch of grass, but they still have setback requirements that need to be dealt with. So, that's just another example of things that come before us. Any other questions for staff or comments? Is the applicant here?

Mrs. Benzenberg: Do you know how or what the variance was. You mentioned the property we looked at further north of this.

Mrs. Bitar: It was I believe right on the line.

Mrs. Benzenberg: Okay.

Mrs. Crane: I know we've done them when the other side has been like a pizza parlor or something.

Mrs. Bitar: Yes.

Mrs. Crane: Is the applicant here? Yes. Please come forward. State your name and address.

Mr. Ryan McChesney: I have not been sworn in yet. I've just got back from Florida - Disney World trip. It was 80 degrees there.

Mr. McChesney was sworn in by Mr. Brown.

Mrs. Crane: Do you have anything to add to staff's presentation?

Mr. McChesney: No, just that, you know, that that tree line is a barrier three seasons out of the year. Then we just recently actually bought that side lot and incorporated the two parcels through the county. So, now we're trying to make it our own little home, you know, backyard settings. So, in order to kind of just security, kids not running into the alley, you know, just visual aesthetics. Just put that wood fence down through there again. There was a wire fence there, but we're just trying to kind of give us that backyard feel, but in relation to the alley, that picture kind of is a

good representation. The pin for the property line is actually like right by that stone right there. I measured like from the drive line, the edge of concrete there to approximately where the fence would be, and it's like six and a half feet. From like basically the edge of the brush, which is our natural car buffer right now, and there's that dumpster there. So, they, you know, trash service comes in and they come in actually at the city. The engineering team comes through at least once a year and trims those. I try to keep up with it too, but they're much more efficient at it. So yeah, no, just, you know, and then the front setback. Like she said, it's, I think we're within a foot or two and it lines up with the front of our house, and there's a grouping of trees there that makes it kind of an aesthetical kind of termination point for the fence, which is kind of why we, yep, that last one. Oh, sorry, a couple back. I don't know if you're going before or back. Yep, right there. So, I tried to like put a, you can't see my marker very well, but basically the trees there. Where will be coming from the south to terminate.

Mrs. Crane: So just because I had the question before, is the fence, are the fence boards going up and down or?

Mr. McChesney: Yes. The picture is a direct representation. I guess I was in the initial, I guess, comments back, you know, can't be six feet. So, I just, I was showing that to say there's going to be horizontal cap on top and we're going to cut the four by fours off to, you know, terminate that so it'll be no higher than six feet.

Mrs. Crane: Anyone in the audience want to speak for against this proposal? Any more discussion or motions?

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY RYAN MCCHESNEY FOR A VARIANCE TO INSTALL A NEW FENCE IN THE REQUIRED SETBACKS ON A CORNER LOT AT 27 E. RIVERGLEN DR., AS PER CASE NO. VAR 03-2024, DRAWINGS NO. VAR 03-2024, DATED JANUARY 5, 2024, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

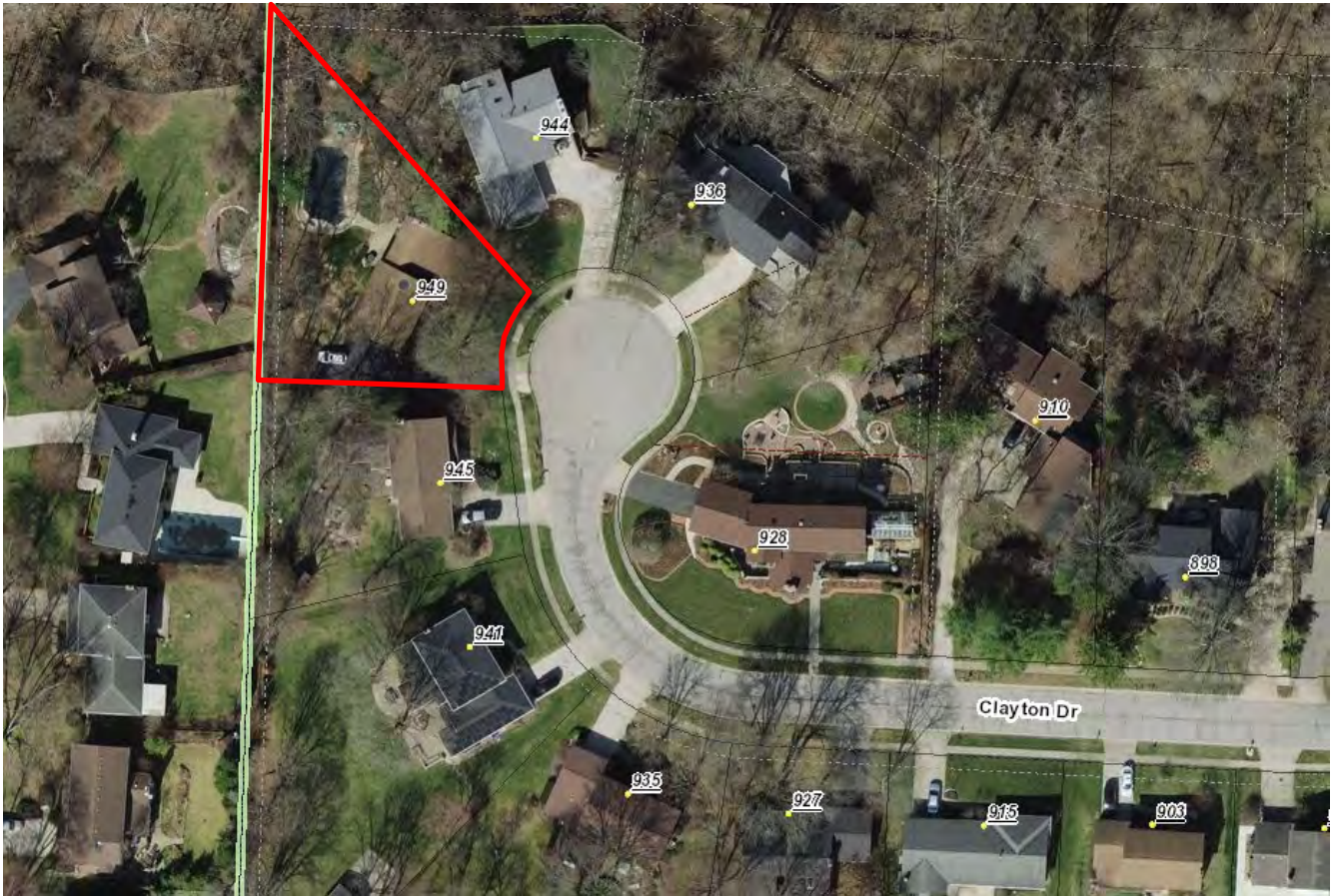
Mr. Coulter seconded the motion. Mr. Brown called the roll. Mr. Guillozet, aye; Mrs. Benzenberg, aye; Mr. Coulter, aye; Mr. Seitz, aye; and Mrs. Crane, aye. The motion was approved.

C. Other – No Business

D. Adjournment

Mr. Seitz moved to adjourn the meeting, and Mrs. Benzenberg seconded the motion. All Board member voted, "Aye," and the meeting adjourned at 8:13 p.m.

949 Clayton Dr.



Supporting statement for variance

We are planning to build a two car garage, 22 x 24 (plans and scope of work attached) that will replace our existing 2 car attached garage which is being transitioned and remodeled into a first floor bedroom, bath and laundry room. The intent of the remodel and new garage is to extend our stay in our home. Having done that will need to build a replacement garage.

For that replacement garage we are asking for a variance of the setback from the property line of our neighbors to the south of us that would reduce the current 8 ft. requirement. In the best case scenario we ask that the setback be reduced by 4 ft. Which would leave the new setback at 4 ft. If that is not possible, we ask for a 3 ft. setback that would leave the new setback at 5 ft. The variance will make it easier for us to approach and park more easily and safely in the new garage. In addition, it will help to better center up the garage to our driveway as you look at it from the street, greatly improving curb appeal.

We don't feel the variance is excessive or an imposition on our neighbors as the property line we now share has an existing split rail fence, mature row of tall viburnums and a wood storage bin belonging to our neighbors.

The garage will be built on the far southwest corner of our property (survey attached) which is essentially a wooded area at this time. The garage will be built using the 10 ft. utility easement to our west and extend 22 ft. from that easement and join the existing driveway. We do not believe any of our neighbors would be harmed and the essential character of the neighborhood would be changed but not adversely. Our plans call for the roof to be oriented to match the roof orientation on ours and other . houses on the cu de sac.

In addition, the garage will be low profile at a height of 12 ft. and not side by side to our neighbors to the south, Steve and Mindy Trank whom we have spoken with before moving forward and they are agreeable to the project and the variance. (letter attached)

Regarding our neighbors behind us, there is a 6 ft. privacy fence between our properties so they would be minimally affected by the garage and no affect from the variance.

The variance will have no adverse affects to the delivery of services, water, sewer or garbage.

We purchased the house over 40 years ago and are aware of the of the zoning restrictions.

We are asking for the variance to help us better position the garage to our existing driveway. To us the 8 ft. setback leaves too wide a gap between our property line. In our opinion the variance will help us better center the new garage to the existing driveway.

All things considered the variance is the only method that would help achieve the goals we have set for the project. As stated above the variance will help us approach the garage and park in the garage more easily and safely and greatly enhance the curb appeal.

We will observe the spirit and intent of the zoning requirements and believe the variance will help us build a garage that fits the space and our environment and add value to our home.



CITY OF WORTHINGTON
DRAWING NO. VAR 04-2024
DATE 01/19/2024

Catherine and Anthony Pello

949 Clayton Dr. Worthington Ohio

RE: Request for a variance for a proposed 2 car garage

Steve and Mindy Trank

945 Clayton Dr Worthington Ohio

We share the property line with the Pello's and are aware of their intentions to build a detached garage at the back of their property. We have discussed the variance the Pello's are requesting that would reduce the property setback from the current 8 ft.

In our conversation the Pello's have informed us that they are requesting a variance that would reduce the setback to 4 or 5 ft.

We are not in opposition with that request.

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX: 614-235-4559

A Mortgage Location Survey prepared for and certified to:

Eagle Land Title Agency North and/or International Mortgage Company

Legal Description: Situated in Ohio, County of Franklin, City of Worthington, Being Lot 14 Clayton Place, Plat Book 39, Page 28

Applicant: Pello, Anthony

Posted Address: 949 Clayton Drive, Worthington, Ohio

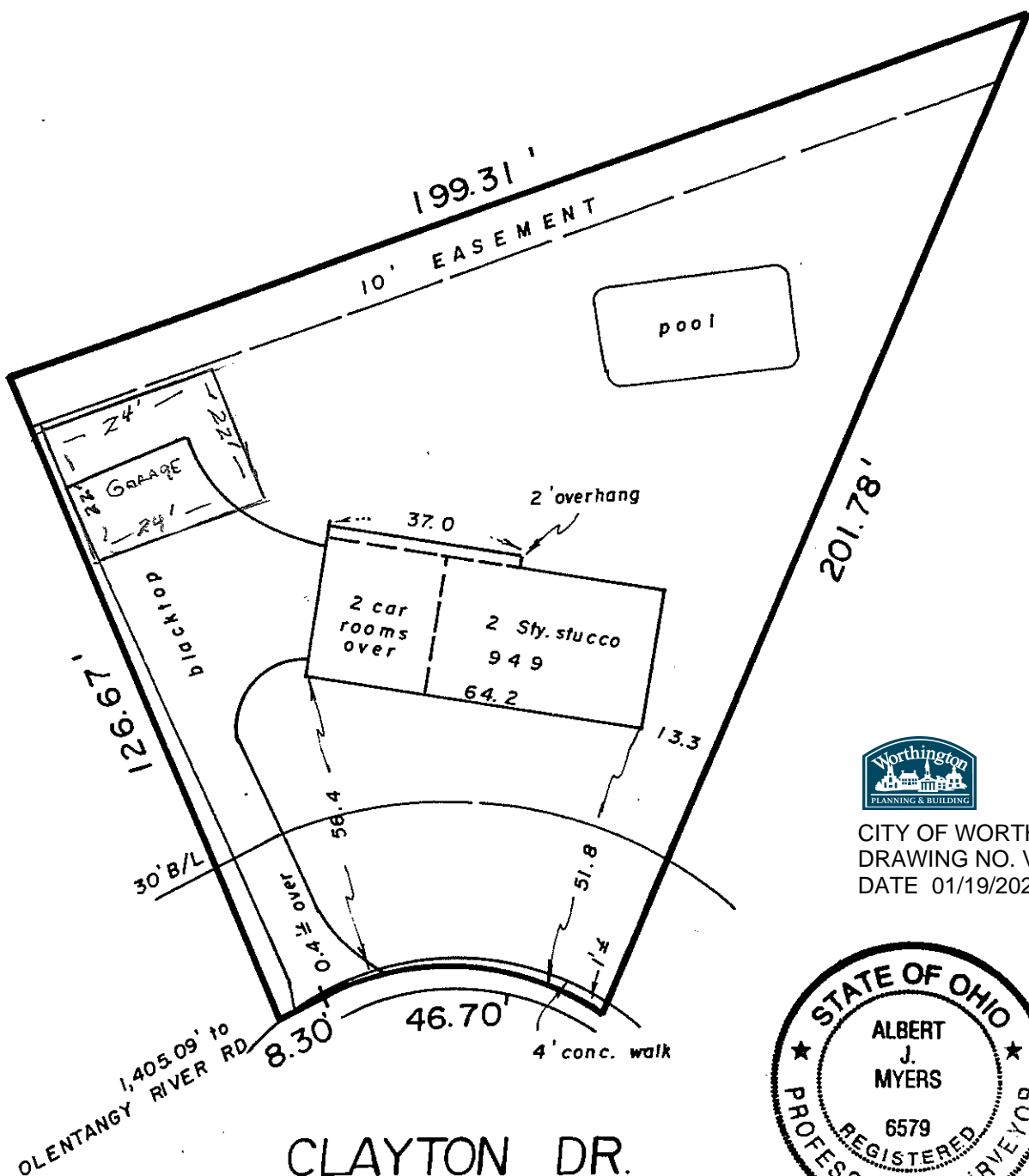
F.E.M.A. Flood Zone Designation: Flood Zone "C" as per F.I.R.M. 390181 0004B.

Apparent Encroachments: 1) Concrete Over Property Line.

30' 15' 0' 30'

Scale: 1" = 30'

Date: 12-17-'93



CITY OF WORTHINGTON
DRAWING NO. VAR 04-2024
DATE 01/19/2024



We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.
THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Myers Surveying Co., Inc.

By *Albert J. Myers*
Professional Surveyor

Myers Order No. - 14-12/14/93

Rec.

Field

DWG

Ltr.

Ck.

kd

pd

mf

PROJECT:

Residential Garage 22x24

SCOPE OF WORK:

New 22x24 S.F. Garage 582

OWNER:

Tony Pello
949 Clayton Dr
Worthington OH 43085

P.I.D. 100-004631-00

INDEX TO DRAWINGS

- | | |
|---|-------------------------------|
| 1 | PROJECT INFO, MAPS, SITE PLAN |
| 2 | PLANS |
| 3 | ELEVATION |
| 4 | ELEVATION |
| 5 | ELEVATION, SECTION |
| 6 | SECTIONS |
| 7 | NOT USED |
| 8 | NOT USED |
| 9 | NOT USED |

DESIGN CRITERIA

Exterior dimensions are from out to out of sheathing.

Interior dimensions are from face to face of framing

All interior partitions are 2X4 (31/2") unless otherwise noted.

Design loads

Footings 1,500 PSF soil bearing (assumed)

Garage floor 50 PSF, 2000/20 SQ IN

Second floor 40 PSF

Wind load 100MPH Exposure 8

Frost Depth 36"

Seismic Zone 1

Lumber grades

Unless otherwise specified all wood

Framing shall have the following

Minimum values.

SPF #2 E = 1.4

Up to 2X4 Fb = 1500 (repetitive)

SPF #2 E = 1.4

2X6 Fb = 1308 (repetitive)

2X8 Fb = 1208 (repetitive)

2X10 Fb = 1107 (repetitive)

2X12 Fb = 1008 (repetitive)

Microlem/Gluelam

Trus Joist or equal

E = 2.0

Fb = 2800

Fc = 500

Fv = 285

Fastening to follow current ORC standards

Provide 1/2" plywood bracing full height

At inside and outside corners

4" - 0" min. first and second floor

All lumber shall be graded and marked

With the appropriate grade stamp

Roof sheathing shall be 1/2" s/lam rated

APA with edge stiffeners (H Cups) shall

Be used on roofs framed @ 24 O.C.

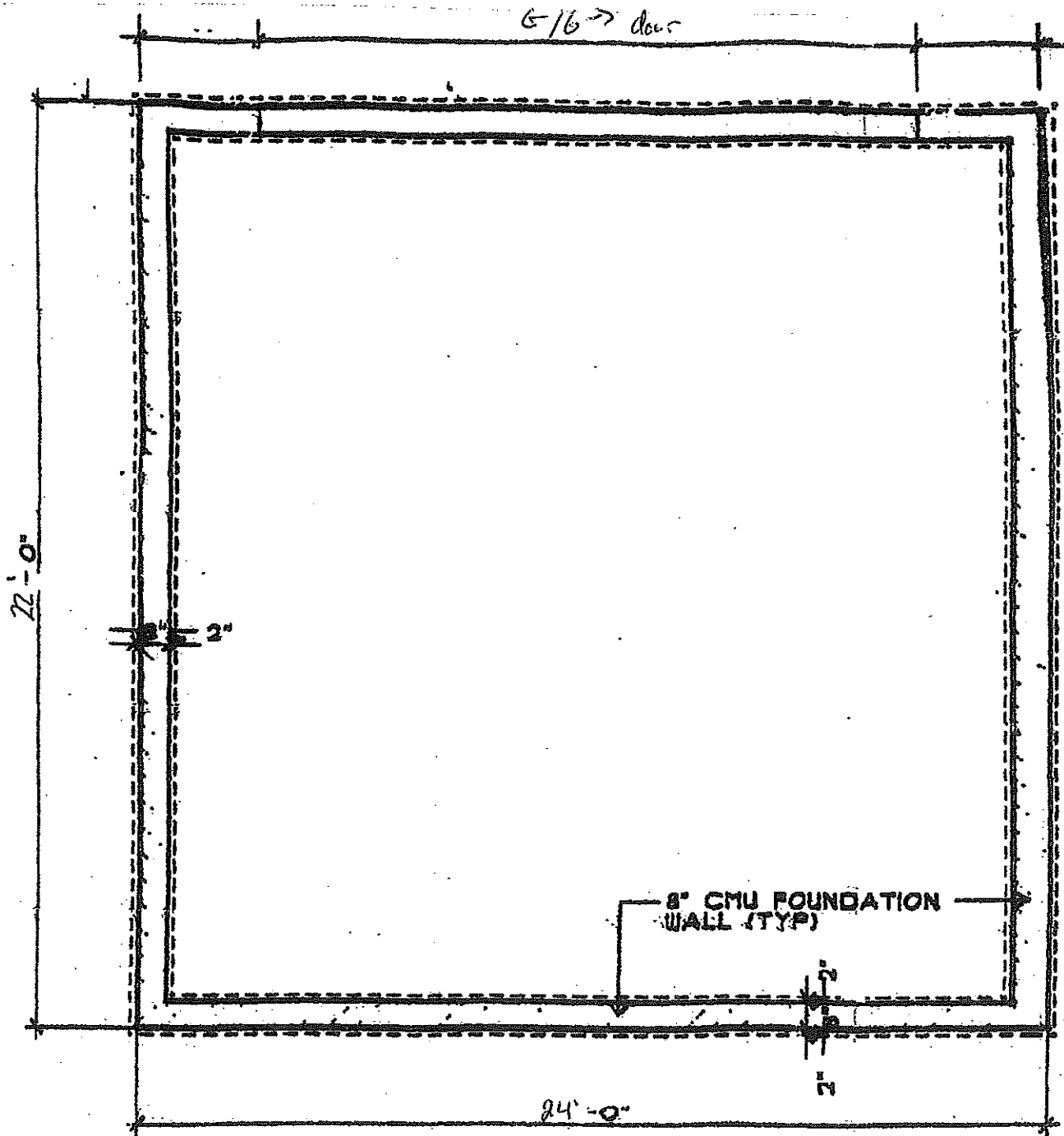
Concrete slab shall be air entrained

With a vapor barrier and a min. strength

Of 2500 PSI for basement slabs and 3500 PSI

For garage slabs.

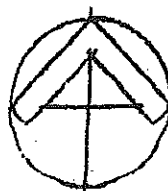
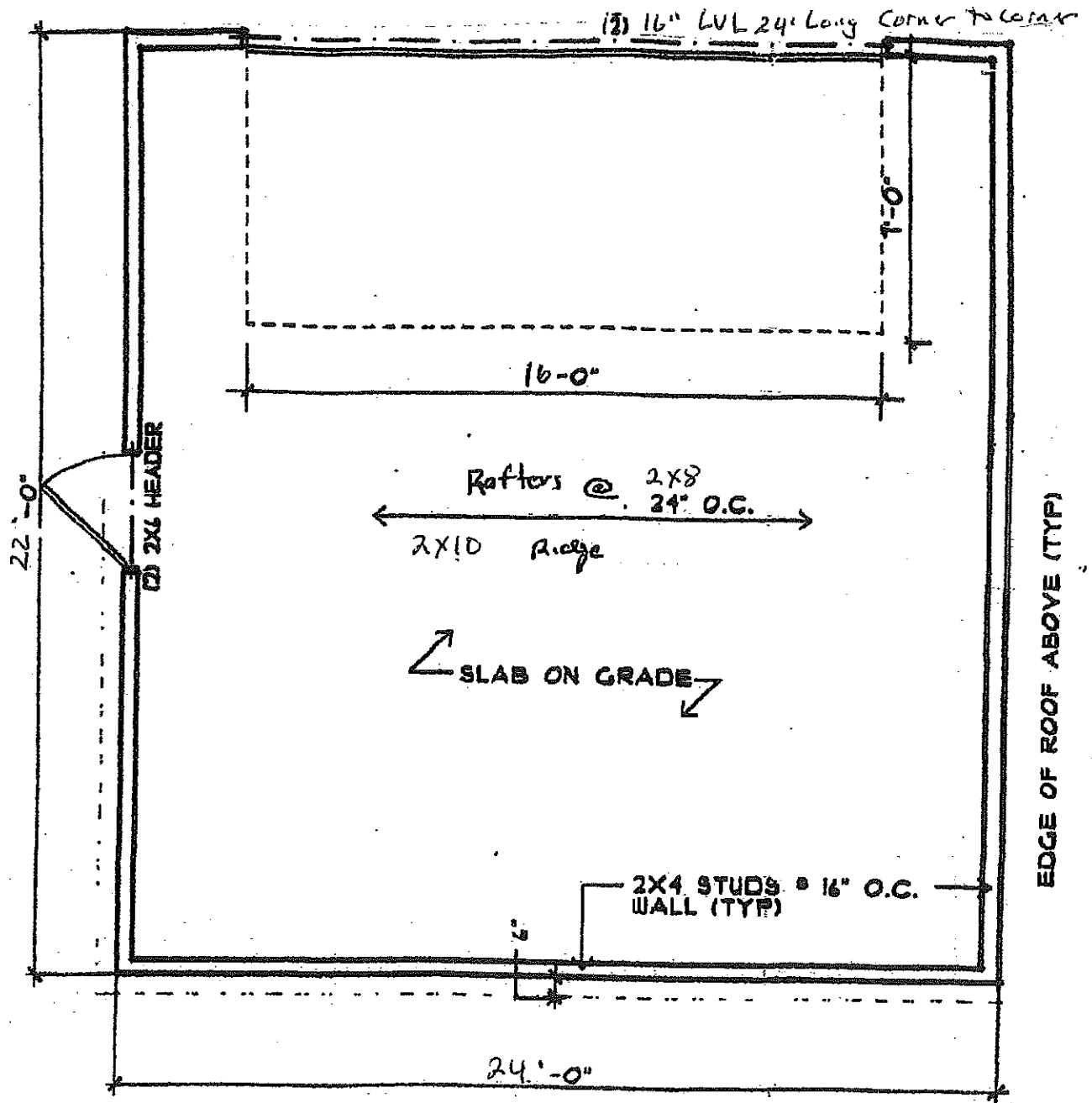




FOOTING / FOUNDATION PLAN

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



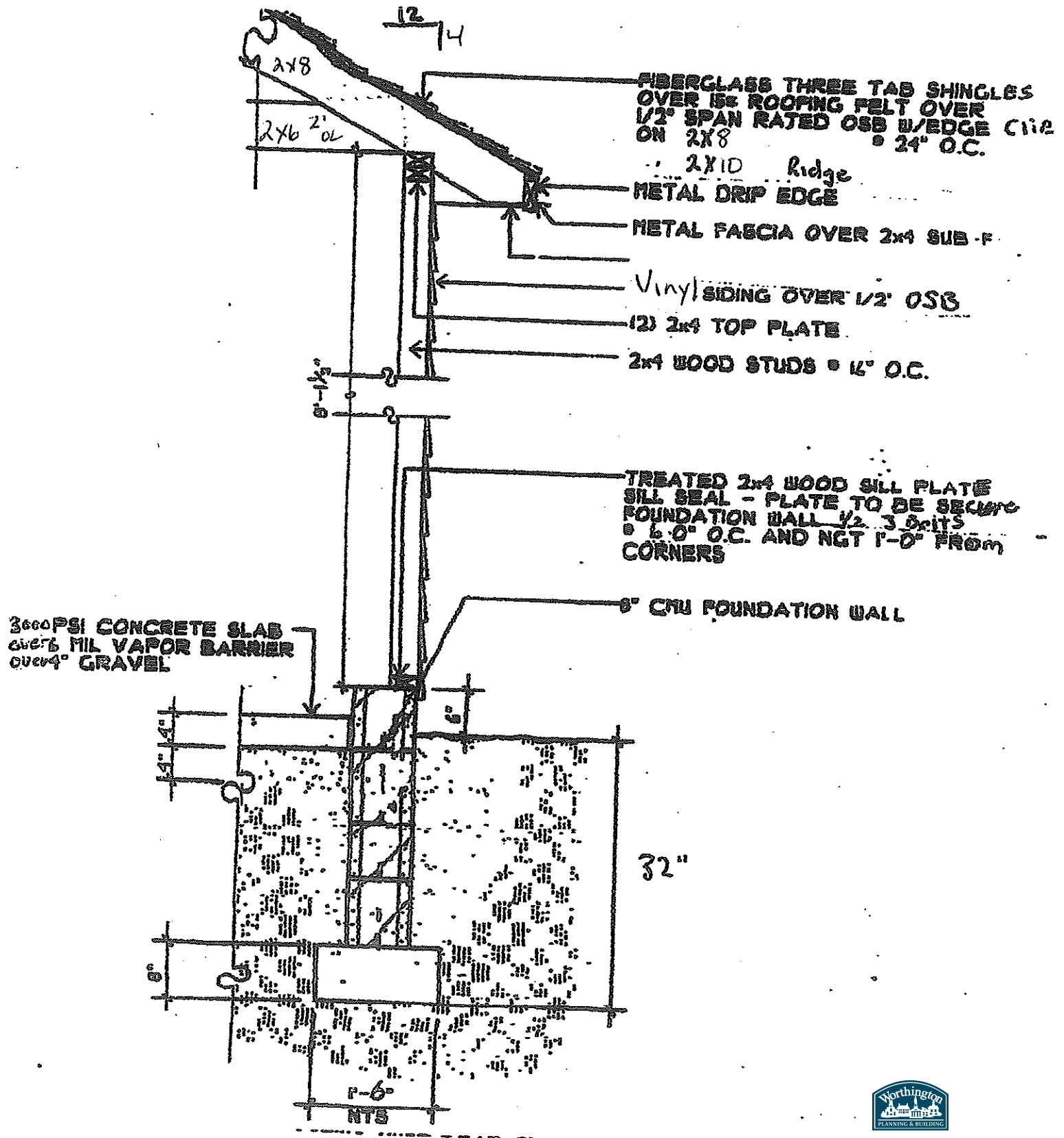


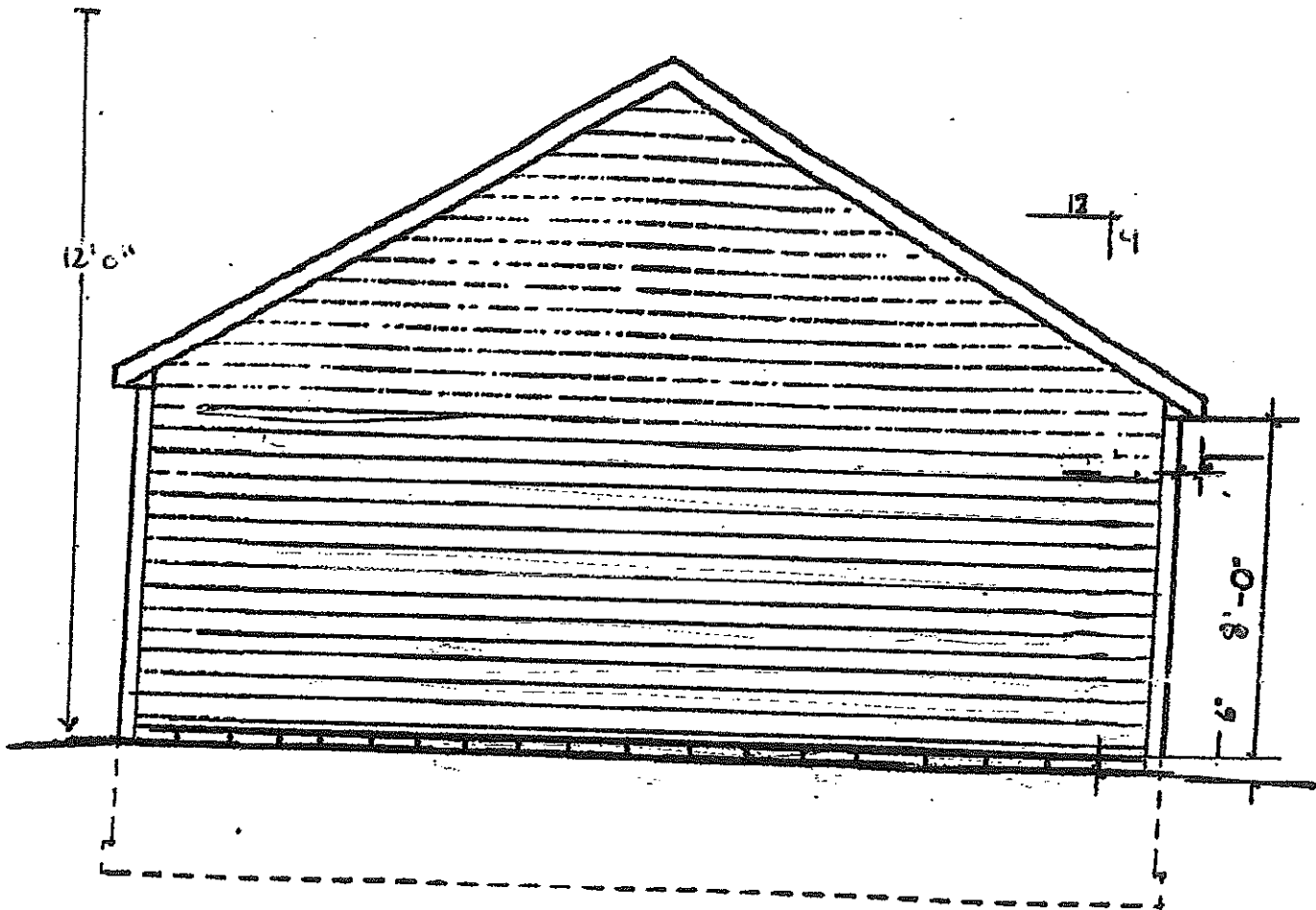
FLOOR PLAN

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



Wall





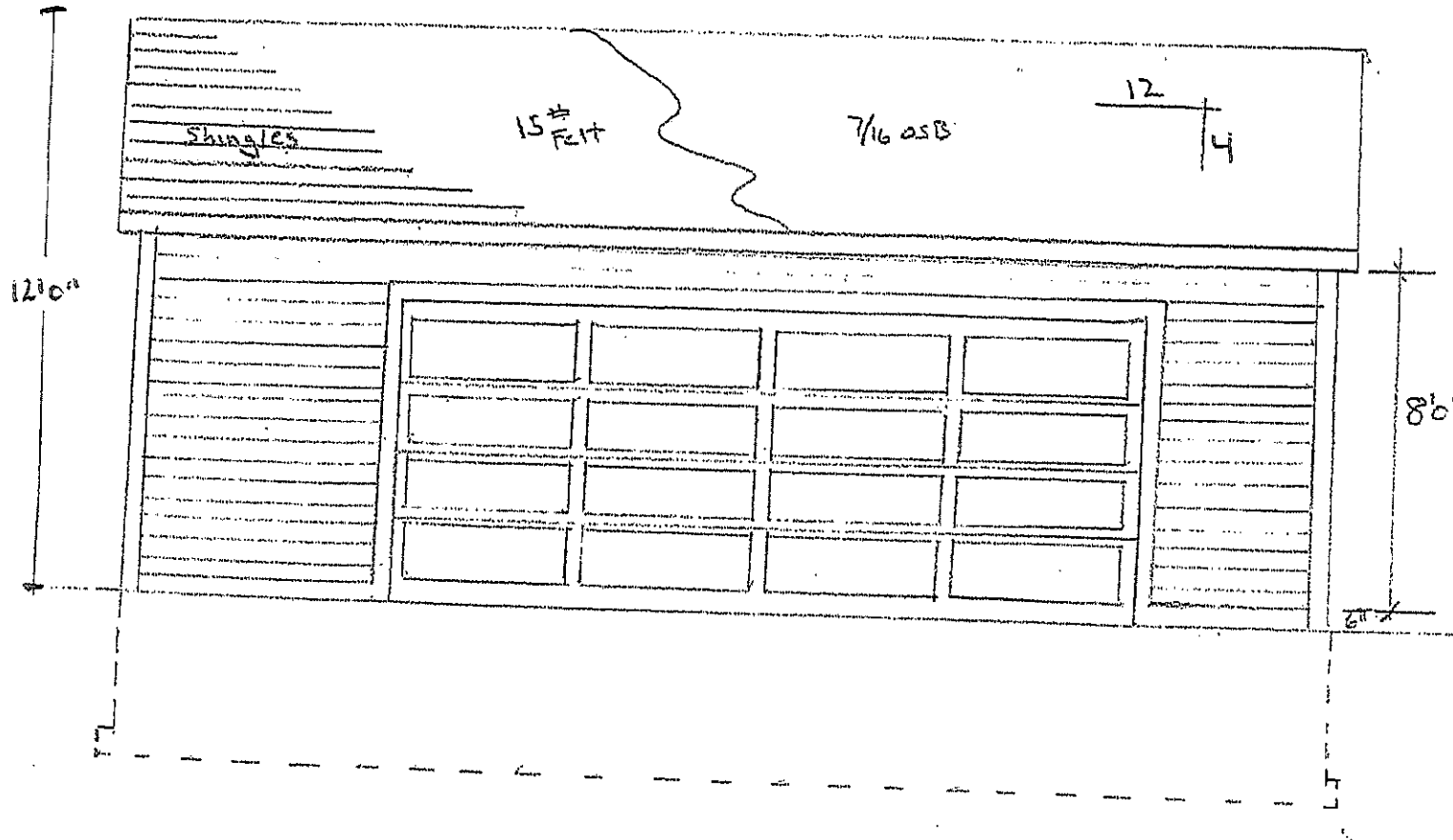
SCALE: 1/4" = 1'-0"



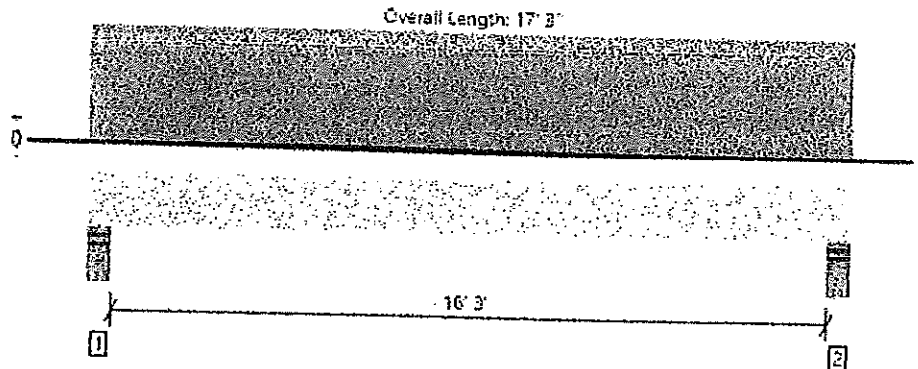
| REVISIONS | DATE | BY |
|-----------|------|----|
| | | |
| | | |
| | | |



CITY OF WORTHINGTON
DRAWING NO. VAR 04-2024
DATE 01/19/2024



Level, Floor: Drop Beam
2 piece(s) 1 3/4" x 16" 2.0E Microllam® LVL



All locations are measured from the outside face of left support (or left cantilever end). All dimensions are horizontal.

| Design Results | Actual @ Location | Allowed | Result | LDF | Load : Combination (Pattern) |
|-----------------------|-------------------|--------------|----------------|------|--------------------------------------|
| Member Reaction (lbs) | 8464 @ 4 1/2" | 8925 (6.00") | Passed (95%) | -- | 1.0 D + 0.75 L + 0.75 Lr (All Spans) |
| Shear (lbs) | 5952 @ 1' 10" | 10640 | Passed (56%) | 1.00 | 1.0 D + 1.0 L (All Spans) |
| Moment (Ft-lbs) | 29823 @ 8' 7 1/2" | 31114 | Passed (96%) | 1.00 | 1.0 D + 1.0 L (All Spans) |
| Live Load Defl. (in) | 0.449 @ 8' 7 1/2" | 0.550 | Passed (L/441) | -- | 1.0 D + 0.75 L + 0.75 Lr (All Spans) |
| Total Load Defl. (in) | 0.754 @ 8' 7 1/2" | 0.825 | Passed (L/263) | -- | 1.0 D + 0.75 L + 0.75 Lr (All Spans) |

System : Floor
Member Type : Drop Beam
Building Use : Residential
Building Code : IBC 2015
Design Methodology : ASD

- Deflection criteria: LL (L/360) and TL (L/240).
- Top Edge Bracing (LU): Top compression edge must be braced at 4' 1" o/c unless detailed otherwise.
- Bottom Edge Bracing (LU): Bottom compression edge must be braced at 17' 3" o/c unless detailed otherwise.

| Supports | Bearing Length | | | Loads to Supports (lbs) | | | | Accessories |
|---------------------|----------------|-----------|----------|-------------------------|------------|-----------|-------|-------------|
| | Total | Available | Required | Dead | Floor Live | Roof Live | Total | |
| 1 - Stud wall - SPF | 6.00" | 6.00" | 5.69" | 3418 | 4140 | 2588 | 10146 | None |
| 2 - Stud wall - SPF | 6.00" | 6.00" | 5.69" | 3418 | 4140 | 2588 | 10146 | None |

| Loads | Location (Side) | Tributary Width | Dead (0.90) | Floor Live (1.00) | Roof Live (non-snow 1.25) | Comments |
|-----------------------|-------------------|-----------------|-------------|-------------------|---------------------------|--------------|
| 0 - Self Weight (PLF) | 0 to 17' 3" | N/A | 16.3 | -- | -- | |
| 1 - Uniform (PSF) | 0 to 17' 3" (Top) | 12' | 10.0 | 40.0 | -- | Default Load |
| 2 - Uniform (PLF) | 0 to 17' 3" (Top) | N/A | 80.0 | -- | -- | |
| 3 - Uniform (PSF) | 0 to 17' 3" (Top) | 12' | 15.0 | -- | 25.0 | |

Weyerhaeuser Notes

Weyerhaeuser warrants that the sizing of its products will be in accordance with Weyerhaeuser product design criteria and published design values. Weyerhaeuser expressly disclaims any other warranties related to the software. Use of this software is not intended to circumvent the need for a design professional as determined by the authority having jurisdiction. The designer of record, builder or framer is responsible to assure that this calculation is compatible with the overall project. Accessories (Rim Board, Blocking Panels and Squash Blocks) are not designed by this software. Products manufactured at Weyerhaeuser facilities are third-party certified to sustainable forestry standards. Weyerhaeuser Engineered Lumber Products have been evaluated by ICC-ES under evaluation reports ESR-1153 and ESR-1387 and/or tested in accordance with applicable ASTM standards. For current code evaluation reports, Weyerhaeuser product literature and installation details refer to www.weyerhaeuser.com/woodproducts/document-library.

The product application, input design loads, dimensions and support information have been provided by Josh Parks



SUSTAINABLE FORESTRY INITIATIVE

| ForTEWEB Software Operator | Job Notes |
|--|------------------|
| Dave White 5th Avenue Lumber (614) 294-4623 dwhite@streitandamp.com | Dean Delaware |

ForTEWEB v1.5, Engine: V7.3.1



File No

CITY OF WORTHINGTON
DRAWING NO. VAR 04-2024
DATE 01/19/2024







BZA APPLICATION VAR 05-2024 99 E North St.

Plan Type: Variance
Project:
App Date: 01/24/2024
Work Class: Variance Residential
District: City of Worthington
Status: In Review
Valuation: \$0.00

Description: Garden Shed (5ft deep x 10ft wide) - 0ft set-back.
1. this is the only reasonable location to place the garden shed without taking away from the remaining 20x45 backyard.
2. variance does not appear to be substantial.
3. variance does not appear to cause any detriment to the neighborhood.
4. variance does not adversely affect governmental services.
5. we did not consider the zoning restriction as it applies to a garden shed.
6. this is the only functional location we would like to build this basic garden shed.
7. the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

| | | | | |
|---------------------------|------|-------------------------------|------|--------------|
| Parcel: 100-000711 | Main | Address: 99 E North St | Main | Zone: |
| | | Worthington, OH 43085 | | |

| | |
|------------------------|------------------------|
| Owner | Applicant |
| Joshua Myers | Joshua Myers |
| 99 E NORTH ST | 99 E NORTH ST |
| Worthington , OH 43085 | Worthington , OH 43085 |
| Mobile: (937) 416-1456 | Mobile: (937) 416-1456 |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|--------------------------------|---------------------------------------|------------|-------------|
| INV-00005109 | (Residential) Board of Zoning Appeals | \$25.00 | \$25.00 |
| Total for Invoice INV-00005109 | | \$25.00 | \$25.00 |
| Grand Total for Plan | | \$25.00 | \$25.00 |

99 E. North St.



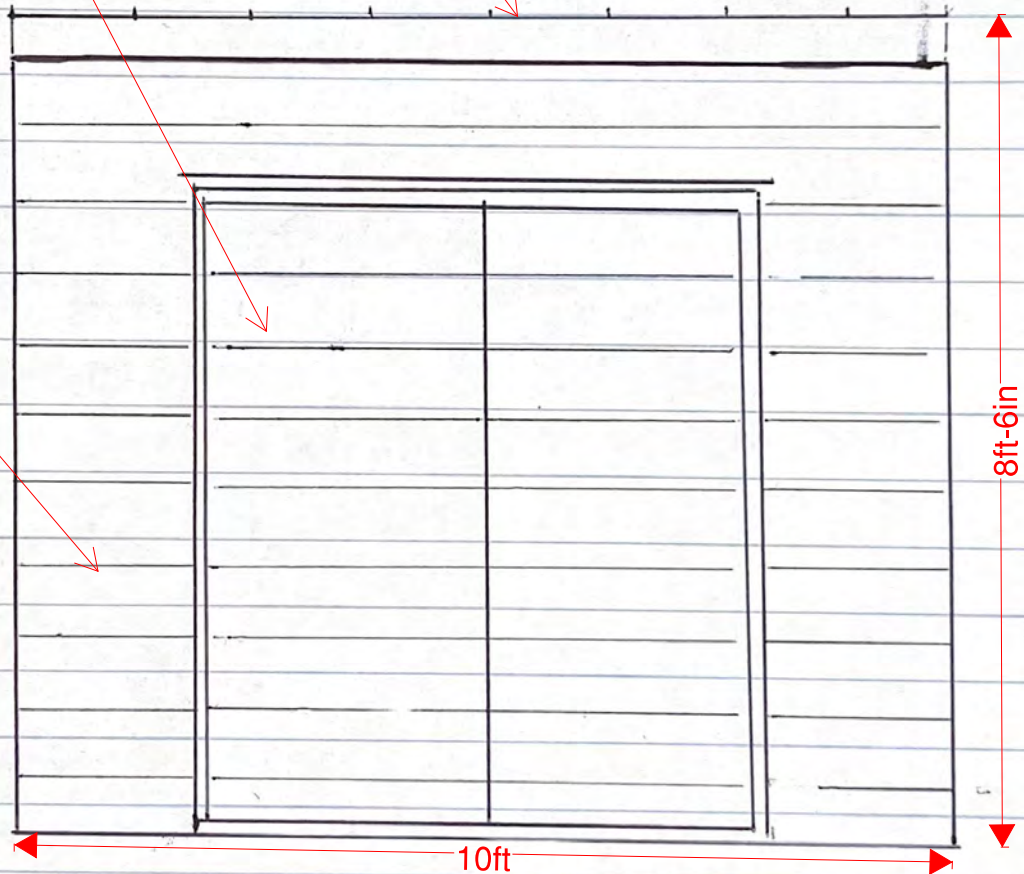
99 E NORTH ST
GARDEN SHED

JOSH MYERS
937-416-1456

6ft wide by-pass doors.
Same siding.

Standing Seam metal
roof and fascia to match
front porch.

Cypress nickle gap
horizontal siding to
match front porch.



A FRONT (NORTH) ELEVATION

- 1) STRUCTURE BUILT WITH 4X4 TREATED POSTS, ANCHORED TO 36" DEEP X 10" DIAMETER FOOTER.
- 2) 4X4'S LOCATED AT CORNERS AND 3FT ON-CENTER, WITH INTERMEDIATE 2X4 FRAMING FOR ATTACHMENT OF HORIZONTAL CYPRESS SIDING.
- 3) 2X4 RAFTERS AT 16" O.C., WITH 5/8" OSB, HIGH HEAT PEEL AND STICK, THEN STANDING SEAM METAL ROOF.
- 4) USE HURRICANE TIES.
- 5) HEADER: DOUBLE 2X10 WITH 1/2" OSB IN MIDDLE.



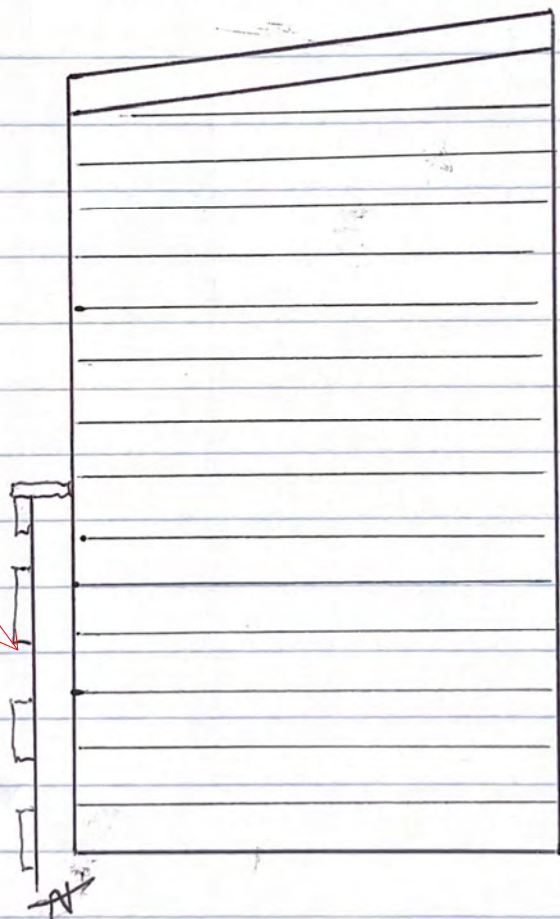
CITY OF WORTHINGTON
DRAWING NO. VAR 05-2024
DATE 01/24/2024

99 E NORTH ST
GARDEN SHED

JOSH MYERS
937-416-1456

Existing 4ft
privacy fence

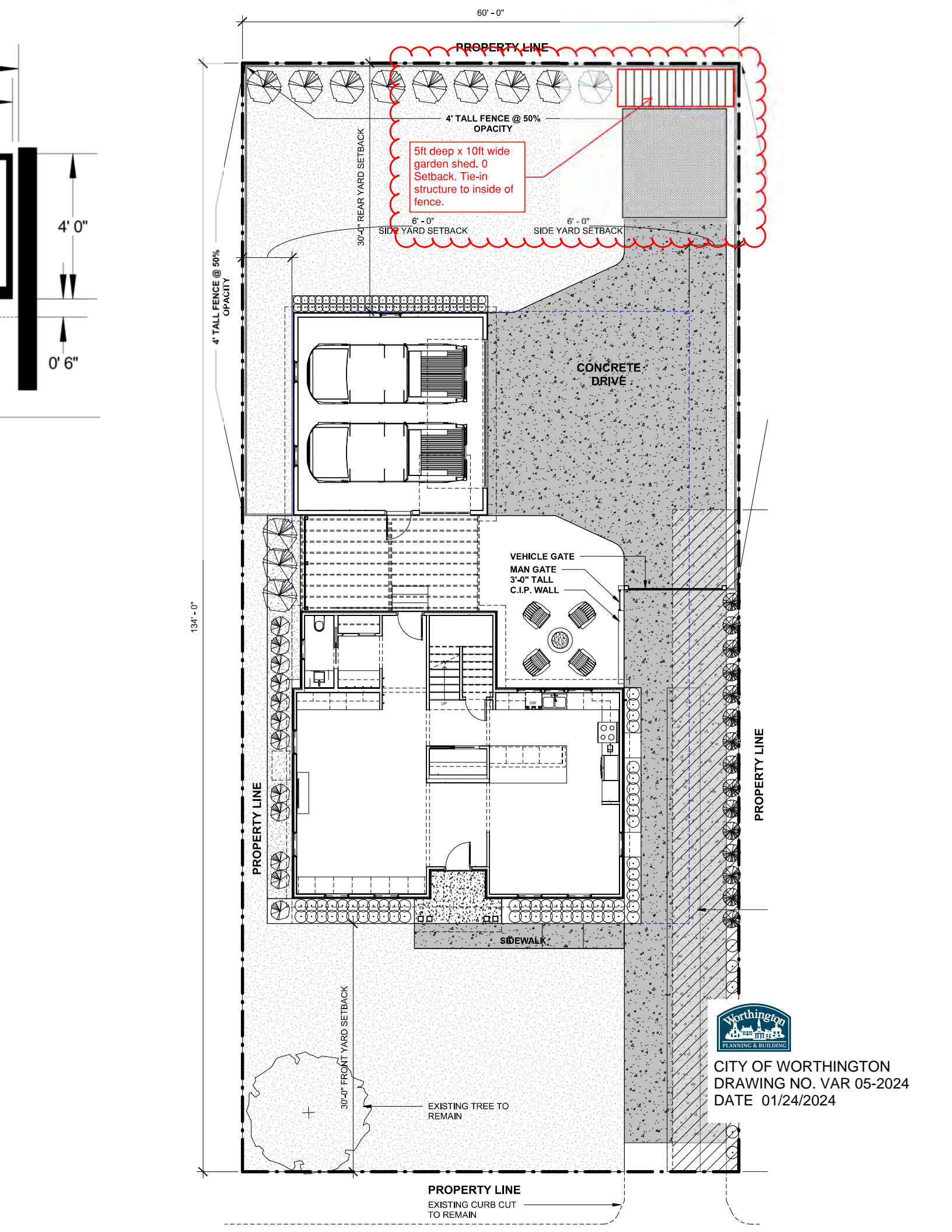
5ft



(B) SIDE (EAST) ELEVATION



CITY OF WORTHINGTON
DRAWING NO. VAR 05-2024
DATE 01/24/2024



CITY OF WORTHINGTON
DRAWING NO. VAR 05-2024
DATE 01/24/2024



**BZA APPLICATION
VAR 06-2024
540 Greenglade Ave.**

Plan Type: Variance **Project:** **App Date:** 01/30/2024
Work Class: Variance Residential **District:** City of Worthington
Status: In Review
Valuation: \$0.00

Description: Hi, I am trying to replace a fence dating from at least 1970, and it turns out the original fence was placed at the Wilson Bridge Road Right of Way line. Upon applying for a fence permit, I have been informed that a new fence must be placed 30 feet into our property, which is a significant portion of my back yard. I am hoping to receive a variance to place the new fence at the existing fence line, or at least closer then 30' away.

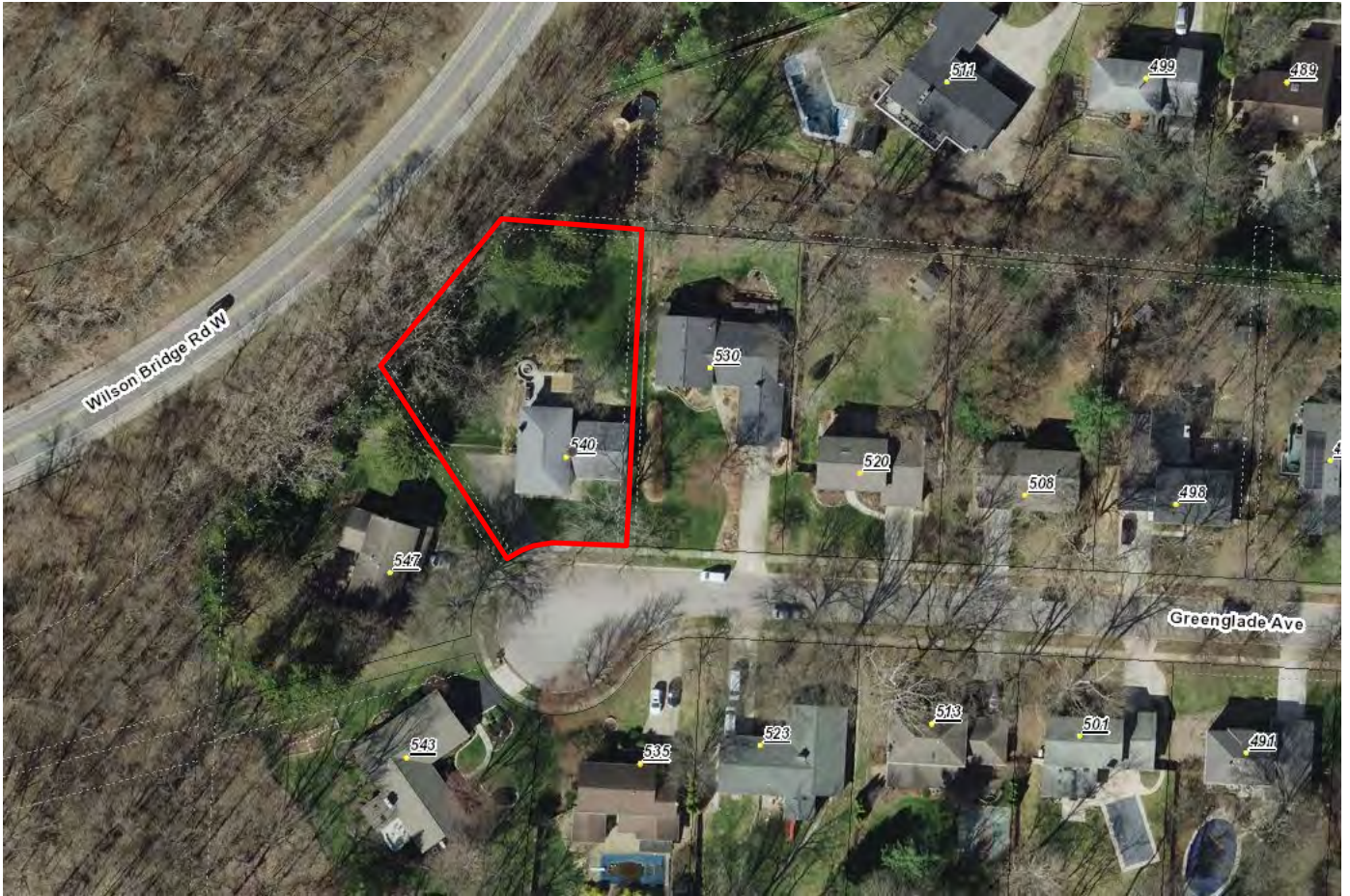
1. NA
2. I don't believe so.
3. If anything, the adjoining properties would be more affected without the variance.
4. No.
5. I wasn't specifically told about this issue but I could have reasonably been aware of it.
6. No.
7. I'm not sure why it is a zoning requirement to be 30' away from the right of way, so I don't know.

| | | | | |
|---------------------------|------|---|------|--------------|
| Parcel: 100-004830 | Main | Address: 540 Greenglade Ave Worthington, OH 43085 | Main | Zone: |
|---------------------------|------|---|------|--------------|

| | |
|---|---|
| Owner Clinton J Sweitzer 540 GREENGLADE AVE Worthington , OH 43085 Mobile: (330) 417-5899 | Applicant Clinton J Sweitzer 540 GREENGLADE AVE Worthington , OH 43085 Mobile: (330) 417-5899 |
|---|---|

| Invoice No. | Fee | Fee Amount | Amount Paid |
|--------------------------------|---------------------------------------|------------|-------------|
| INV-00005130 | (Residential) Board of Zoning Appeals | \$25.00 | \$25.00 |
| Total for Invoice INV-00005130 | | \$25.00 | \$25.00 |
| Grand Total for Plan | | \$25.00 | \$25.00 |

540 Greenglade Ave.



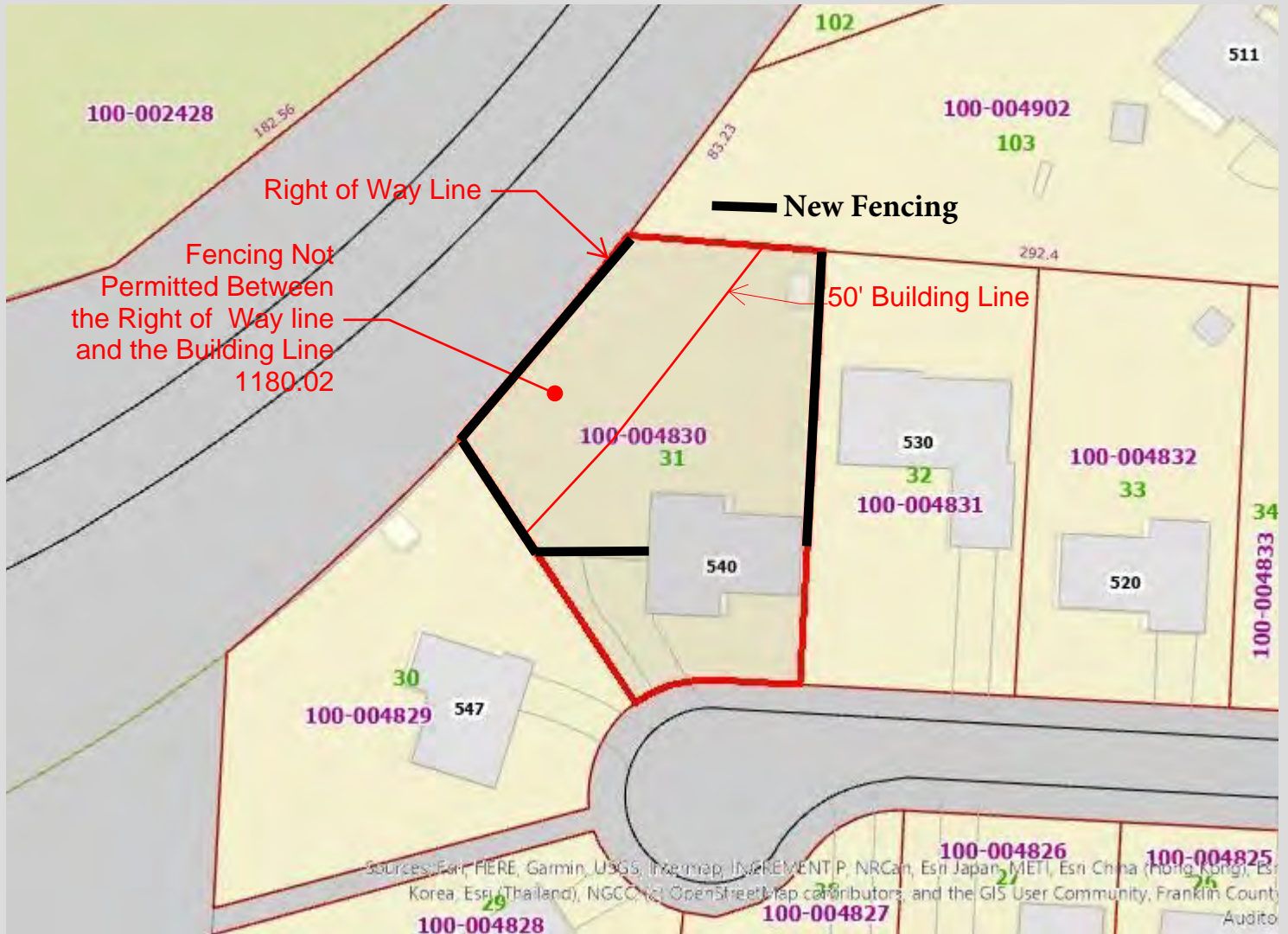


MAP(GIS)

Generated on 01/30/2024 at 11:09:00 AM

| | | | |
|-------------|-------------------|--------------------|-------------------|
| Parcel ID | Map Routing No | Owner | Location |
| 10000483000 | 100N238F 03100 | SWEITZER CLINTON J | 540 GREENGLADE AV |

GIS



Disclaimer

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.



CITY OF WORTHINGTON
DRAWING NO. VAR 06-2024
DATE 01/30/2024



109 E Main Street
Fulton, OH 43321
Tel. 614.929.3526
Fax. 740.936.9991
www.MaeFence.com

Notes:

Proposal
Date

1/12/23

Expiration
Date

Target Install
Date

* Customer to Permit

| | |
|---|--------------------------------|
| Name Clint Sweetzer | 811 DIG # |
| Address 540 Grandview Ave | Job Address |
| City, State, Zip Worthington, OH 43085 | Email Sweetzer.CS@gmail.com |
| Home Phone (330) 417-5899 | County/ Township/ Subdivision |
| Cell | |
| Other | |

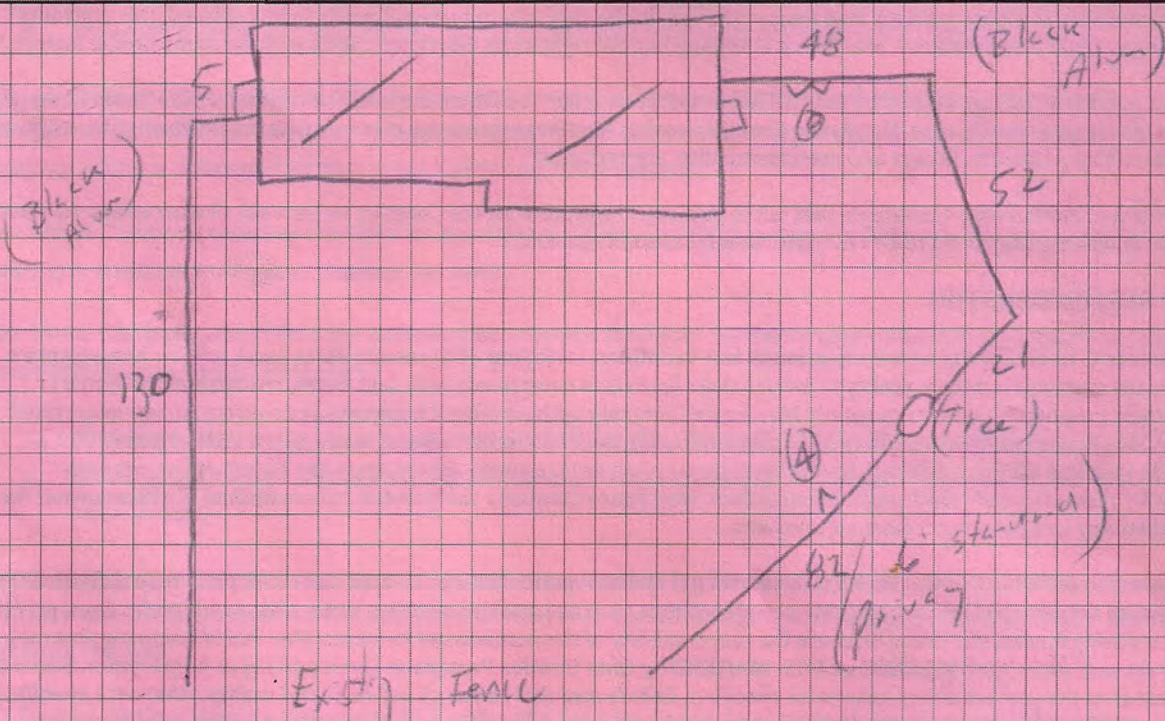
Customer Responsibilities:

- ☐ Obtain Permit / Variance
- ☐ HOA Approval
- ☐ Provide Legal Survey
- ☐ Clear Fence Line
- ☐ Contain Animals
- ☐ Locate Private Utilities

Please Review:

- ☐ Dirt removal is not included unless otherwise specified. COST TO REMOVE \$ _____
- ☐ The fence will follow the natural contour of the property unless otherwise specified.
- ☐ Under no circumstances is Mae Fence responsible for damages to private lines and/or items not professionally located by utility companies, including sprinkler lines, drain tiles, electric fence, and sump pump.
- ☐ Customer understands checking (cracking) in wood is normal and will not impact its structural integrity.
- ☐ A small degree of construction activity and refuse may occur.

A



Total Footage

341

T.D: FTG

423

Haul: FTG

423

- ☐ Wood
- ☐ Link
- ☐ Other

Leave Dirt by Post
or
Haul Dirt Away

Breaks ☐ Con ☐ Asp

Transition Slopes

Removable Panels

Permits/Approvals

☐ Yes ☒ No \$ 250

City and Association
fees are included

**PLAT OF SURVEY
MUST BE PROVIDED**

PAYMENT TERMS:

- ☒ **50** % DEPOSIT
Balance to be paid to installation crew chief
or office upon completion
 - ☐ % DEPOSIT
- Terms: _____

Payment 1

| \$ | Date |
|---------------|------|
| V M D A Check | |
| # | |
| Exp | Sec |

Payment 2

| \$ | Date |
|---------------|------|
| V M D A Check | |
| # | |
| Exp | Sec |

Payment 3

| \$ | Date |
|---------------|------|
| V M D A Check | |
| # | |
| Exp | Sec |

| | |
|---------|-----------|
| TOTAL | \$ 14,830 |
| DEPOSIT | \$ 7415 |
| BALANCE | \$ 7415 |

ACCEPTANCE OF PROPOSAL:

YOU, THE CONSUMER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION

The above prices, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as outlined in this contract. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra charges will be executed only upon written orders and will become an extra cost over and above the sale price. Cancellation of this contract after three business days will result in a 20% restocking fee. In the event of a default payment, Mae Fence may record and enforce a mechanic's lien against the property on which the project was installed in accordance with applicable law. Customer agrees to pay all fees and costs associated with default payments. Our employees are fully covered by workman's compensation.

Payment is due immediately following installation.

Company Representative

Tyler (614) 580-6722


Customer Signature



CITY OF WORTHINGTON
DRAWING NO. VAR 06-2024
DATE 01/30/2024

Name:

Target Install Date:

| | | | | | |
|---|---|--|---|--|---|
| Height 6/4 | Material <input checked="" type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input type="checkbox"/> Other: _____ | Color <input checked="" type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Pewter <input type="checkbox"/> Bronze <input type="checkbox"/> Tan <input type="checkbox"/> Other: _____ | | | |
| Pattern  | | | Other: _____ | | |
| Picket Size <input type="checkbox"/> 5/8"x 5/8" <input type="checkbox"/> 3/4"x 3/4" <input type="checkbox"/> 1"x 5/8" <input type="checkbox"/> 1"x 1" | | Picket Top <input type="checkbox"/> None <input type="checkbox"/> Quad Finial <input type="checkbox"/> Pressed Spear <input type="checkbox"/> Triad Finial | | Picket Spacing <input type="checkbox"/> Standard <input type="checkbox"/> Other: _____ | |
| # of Rails 3 | Rail Placement <input type="checkbox"/> Standard <input type="checkbox"/> Flush Bottom | Construction <input type="checkbox"/> Fitted <input type="checkbox"/> Bracketed | # of Bracketed Panels | Panel Size <input type="checkbox"/> 6' Wide <input type="checkbox"/> 8' Wide | Rail Size <input type="checkbox"/> Standard <input type="checkbox"/> Other: _____ |
| Post Size 2" | Post Setting <input type="checkbox"/> Standard <input type="checkbox"/> Flanged | # of Flanged Posts | Post Top <input type="checkbox"/> Beveled Cap <input type="checkbox"/> Ball Cap | Coating <input type="checkbox"/> Powder Coat <input type="checkbox"/> Baked Enamel <input type="checkbox"/> Other: _____ | |
| Gates <input type="checkbox"/> Single <input type="checkbox"/> Double | Amount 1 | Width 8FT | <input type="checkbox"/> Straight <input type="checkbox"/> Arched <input type="checkbox"/> Arch/ Scroll | Hardware Self closing - Drive Rod | Notes |
| Gates <input type="checkbox"/> Single <input type="checkbox"/> Double | Amount 1 | Width 4FT | <input type="checkbox"/> Straight <input type="checkbox"/> Arched <input type="checkbox"/> Arch/ Scroll | Hardware | Notes Standard Privacy |
| Gates <input type="checkbox"/> Single <input type="checkbox"/> Double | Amount | Width | <input type="checkbox"/> Straight <input type="checkbox"/> Arched <input type="checkbox"/> Arch/ Scroll | Hardware | Notes |

\$13,520 Fence + Gates

+ 2,110 Removal + Haul

~~\$15,630~~
All in
- 800 max!

\$14,830
All in

* 235 FT 4 FT Black Alum (1) Double Gate
* 166 FT 6 FT Solid Privacy (1) Single Gate



CITY OF WORTHINGTON
DRAWING NO. VAR 06-2024
DATE 01/30/2024

Customer Initial

GRAND TOTAL \$



BZA APPLICATION VAR 07-2024 141 Northhigh Dr.

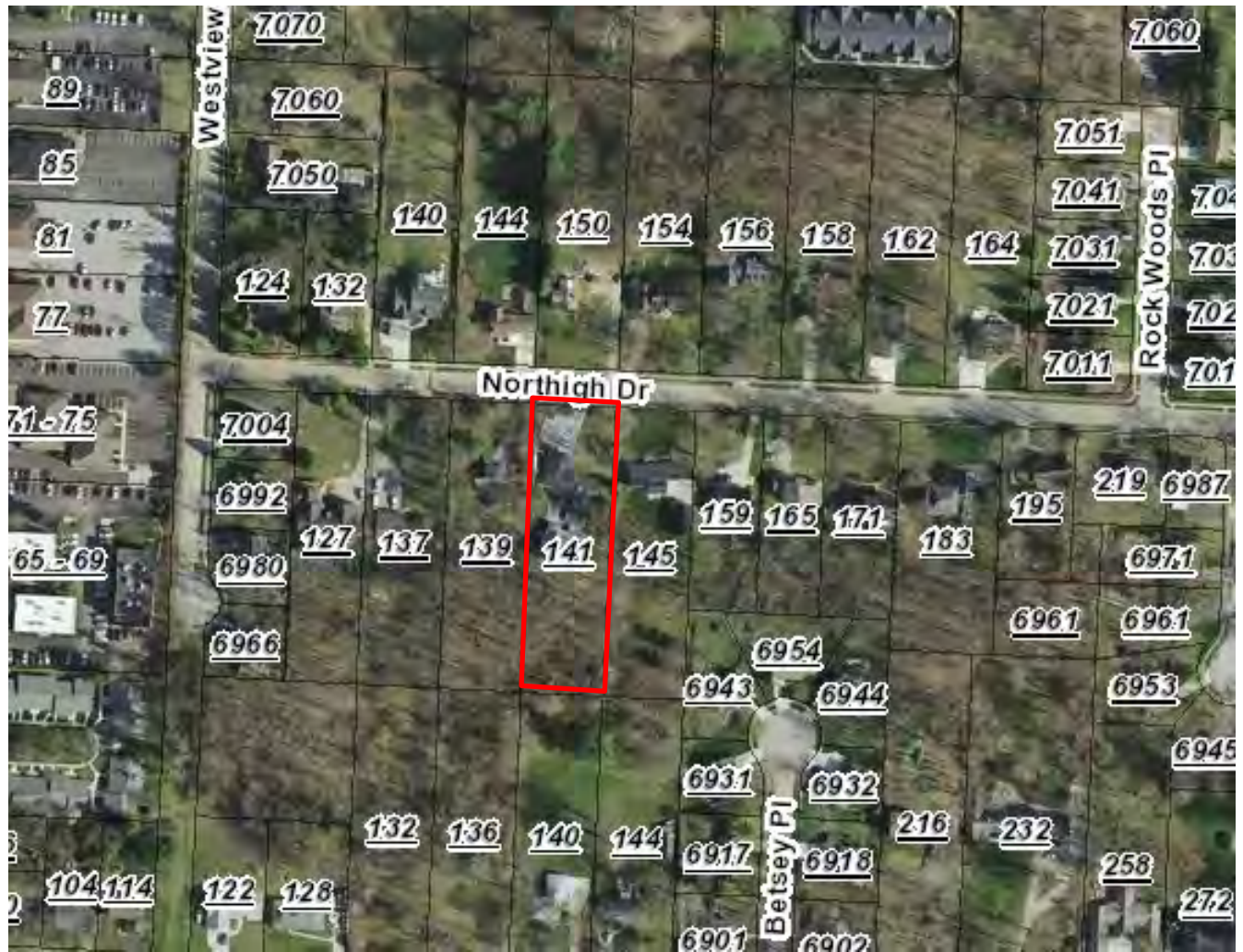
Plan Type: Variance **Project:** **App Date:** 02/06/2024
Work Class: Variance Residential **District:** City of Worthington
Status: In Review
Valuation: \$0.00
Description: Accessory structure area variance - build a 2-car garage at front right of house.

| | | | | |
|---------------------------|------|---|------|--------------|
| Parcel: 100-002513 | Main | Address: 141 Northhigh Dr Worthington, OH 43085 | Main | Zone: |
|---------------------------|------|---|------|--------------|

| | |
|----------------------|----------------------|
| Owner | Applicant |
| Eagle Home Services | Eagle Home Services |
| William Hernandez | William Hernandez |
| 787 Harmon Ave. | 787 Harmon Ave. |
| Columbus, OH 43223 | Columbus, OH 43223 |
| Business: 6148345332 | Business: 6148345332 |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|--------------------------------|---------------------------------------|------------|-------------|
| INV-00005156 | (Residential) Board of Zoning Appeals | \$25.00 | \$25.00 |
| Total for Invoice INV-00005156 | | \$25.00 | \$25.00 |
| Grand Total for Plan | | \$25.00 | \$25.00 |

141 Northhigh Dr.



NORTHIGH DR ADDITION & GARAGE

141 Northigh Dr. Worthington, OH 43085

PERMIT SET

GENERAL CRITERIA

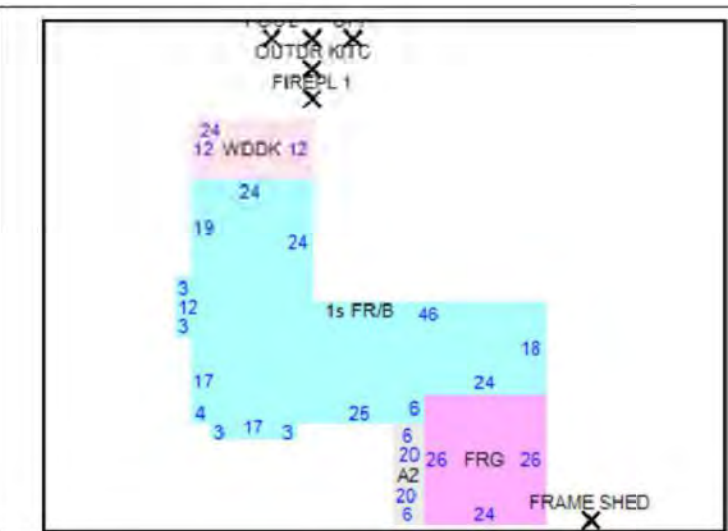
| | | |
|---------------------|---|---|
| PROJECT | : | HOUSE ADDITION |
| JURISDICTION | : | CITY OF WORTHINGTON BUILDING DEPARTMENT |
| BUILDING CODE | : | RCO 2019 |
| EXISTING HOUSE AREA | : | 2,199 SQ FT |
| ADDITION AREA | : | 700 SQ FT |
| NEW HOUSE AREA | : | 2,999 SQ FT |
| GARAGE LEVEL | : | 598 SQ FT |
| GARAGE UPPER SPACE | : | 374 SQ FT |
| GARAGE TOTAL | : | 972 SQ FT |
| PROJECT TYPE | : | RESIDENTIAL ADDITION AND NEW GARAGE |

SCOPE:
CONSTRUCTION OF A SINGLE STORY HOUSE ADDITION. WOOD CONSTRUCTION AND MASONRY FOUNDATION. NEW FRONT ENTRY. INTERIOR TO ADD LIVING ROOM, BEDROOM EXTENSIONS, AND TWO NEW BATHROOMS. NEW PLUMBING, ELECTRICAL AND HVAC FOR ADDITION. NEW TWO STORY GARAGE WITH SECOND FLOOR OPEN SPACE WITH FULL BATHROOM.

Franklin County Auditor - Michael Stinziano 100-002513-00

| | | | |
|--------------------|---|---------------------|-------------------------------------|
| Owner Name | EAGLE HOMES PROPERTIES INC | Prop. Class | R - Residential |
| Site Address | 141 NORTHIGH DR | Land Use | 510 - ONE-FAMILY DWLG ON PLATTED LC |
| Legal Descriptions | 141 NORTHIGH DR NORTHIGH ACRES LOT 52 | Tax District | 100 - CITY OF WORTHINGTON |
| Owner Address | 575 CORR RD COLUMBUS, OH 43207 | Sch. District | 2516 - WORTHINGTON CSD |
| Transfer Date | 09/28/2021 | App Nbrhd | 03114 |
| Transfer Price | 365,000.00 | Tax Lein | No |
| Instrument Type | GW | CAUV Property | No |
| | | Owner Occ. Credit | 2022: No 2023: No |
| | | Homestead Credit | 2022: No 2023: No |
| | | Rental Registration | No |
| | | Board of Revision | No |
| | | Zip Code | 43085 |
| | | Annual Taxes | 8,638.80 |
| | | Taxes Paid | 13,584.66 |
| | | Calculated Acreage | 1.01 |
| | | Legal Acreage | .00 |

| | Current Market Value | | | Taxable Value | | |
|--------|----------------------|-----------|-----------|---------------|----------|-----------|
| | Land | Improv | Total | Land | Improv | Total |
| Base | \$122,300 | \$195,500 | \$317,800 | \$42,810 | \$68,430 | \$111,240 |
| TIF | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Exempt | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | \$122,300 | \$195,500 | \$317,800 | \$42,810 | \$68,430 | \$111,240 |
| CAUV | \$0 | | | | | |



100-002513 08/26/2022

Building Data

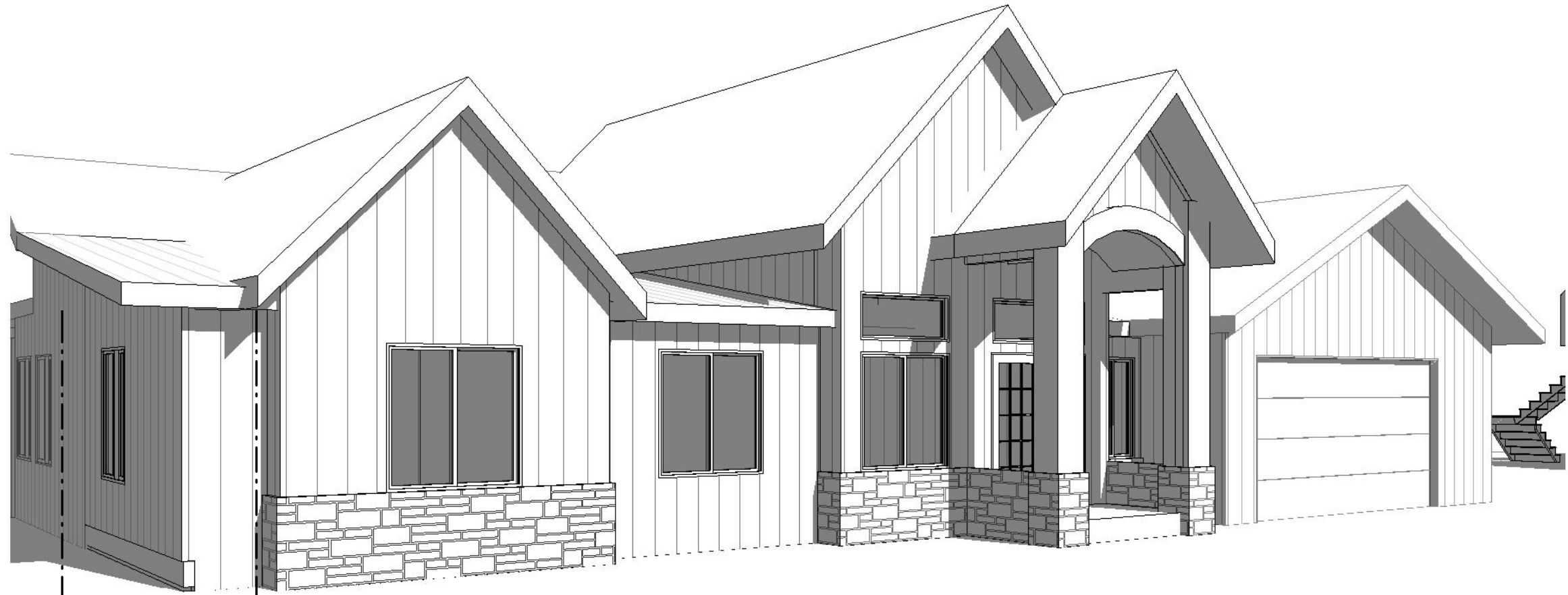
| | | | |
|---------------|------|------------|-------|
| Year Built | 1979 | Full Baths | 2 |
| Finished Area | 2199 | Half Bath | 1 |
| Rooms | 7 | Heat/AC | 2 |
| Bedrms | 4 | Wood Fire | 1 / 2 |
| Dining Rooms | 1 | Stories | 1 |

Sketch Legend

- 0 1s FR/B 2199 Sq. Ft.
- 1 FRG - 15 FRAME GARAGE 624 Sq. Ft.
- 2 CNPY - 38 CANOPY 120 Sq. Ft.
- 5 WDDK - 38 WOOD DECK 288 Sq. Ft.
- 1 FRAME SHED - RS1 FRAME UTILITY SHED 96 Sq. Ft.
- 2 BATH HSE - RBH BATH HOUSE 48 Sq. Ft.
- 3 POOL - RP2 PREFABRICATED VINYL POOL 528 Sq. Ft.
- 4 OFP - OFF OPEN FRAME PORCH 664 Sq. Ft.
- 5 OUTDR KTC - OKT BUILT IN OUTDOOR KITCHEN 1 Sq. Ft.
- 6 FIREPL 1 - FP1 FIREPLACE - 1 S 1 Sq. Ft.



1 site plan
SCALE 1" = 10'-0"



3 house addition
SCALE



2 garage
SCALE

| NO. | SHEET TITLE | 1 | 2 | 3 | 4 | 5 | 6 | Current Revision Date |
|-------|----------------------|---|---|---|---|---|---|-----------------------|
| A0-0 | COVER | | | | | | | 01-08-24 |
| A1 | FLOOR PLANS | | | | | | | 01-08-24 |
| A-2 | ELEVATIONS | | | | | | | |
| A-3 | SECTIONS AND DETAILS | | | | | | | 01-08-24 |
| A-4 | GARAGE | | | | | | | |
| A-5 | GARAGE ELEVATIONS | | | | | | | |
| MEP-1 | MEP PLANS | | | | | | | 12-28-23 |
| S-1 | FRAMING PLAN | | | | | | | |

GENERAL NOTES:

- GC TO COORDINATE WITH OWNER ON INTERIOR FINISHES.
- CONTRACTORS TO FIELD VERIFY FIELD CONDITIONS BEFORE START OF WORK AND NOTIFY GC AND OWNER IF ANY DISCREPANCIES ARE FOUND.

SET INFORMATION

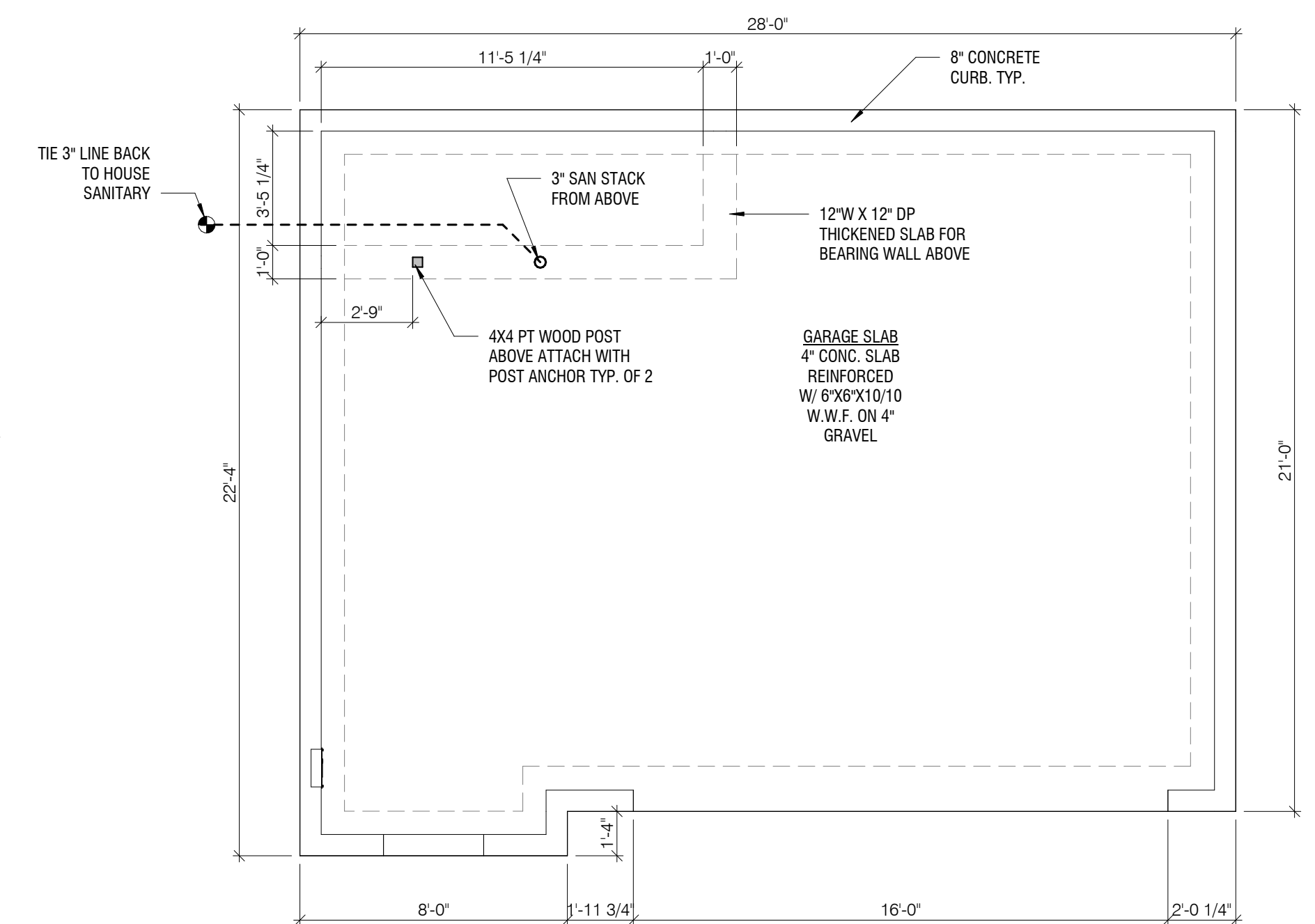
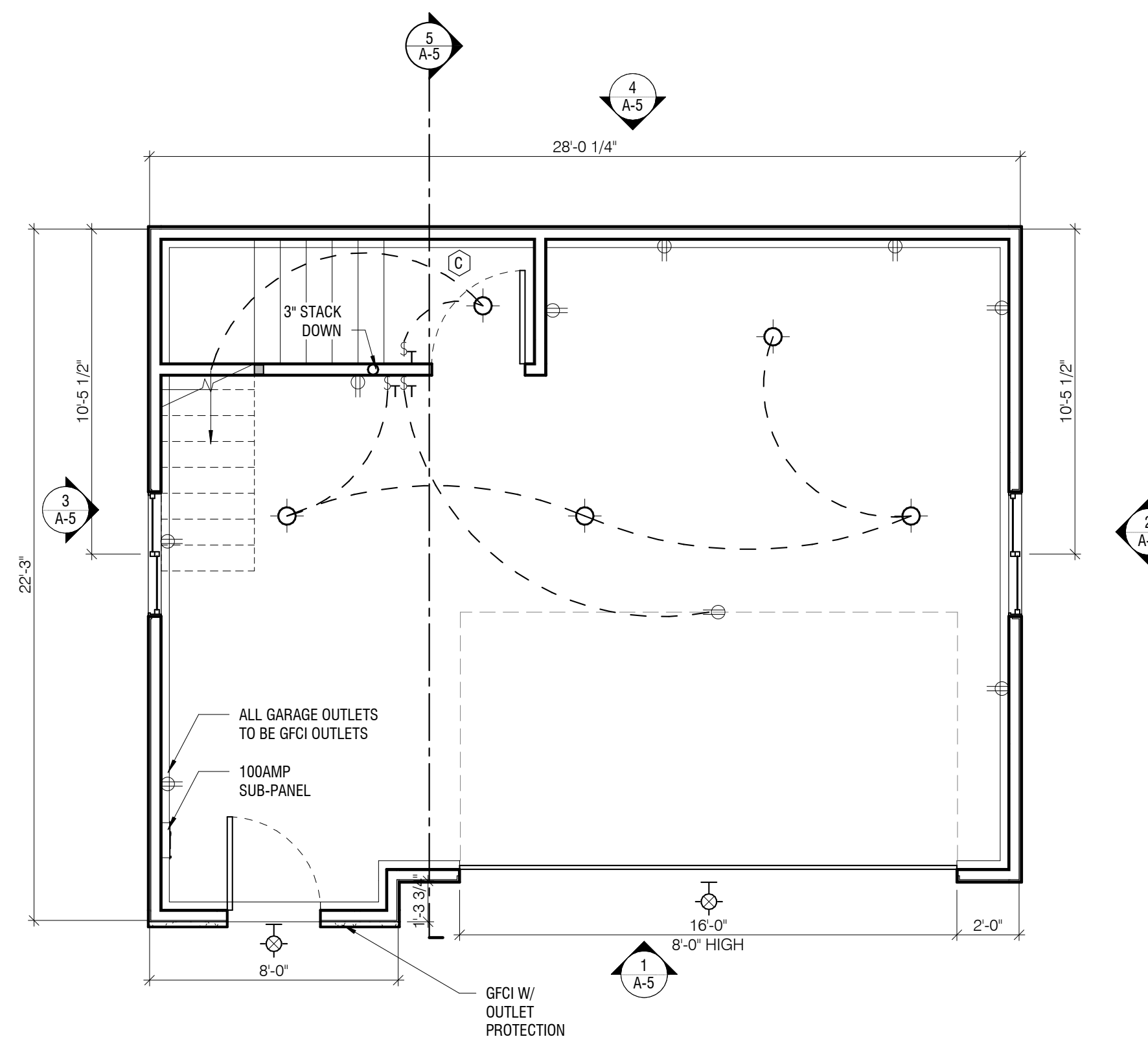
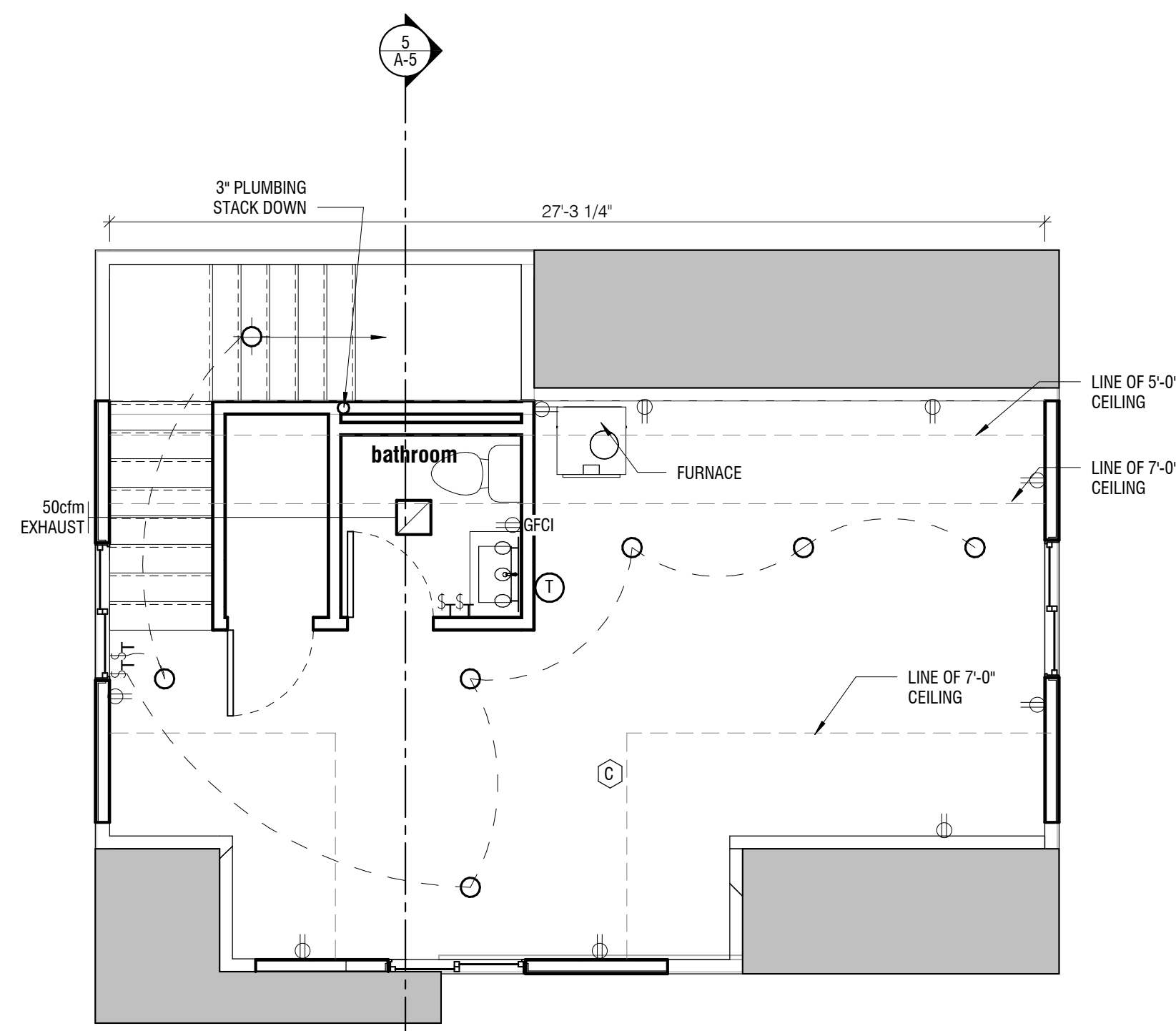
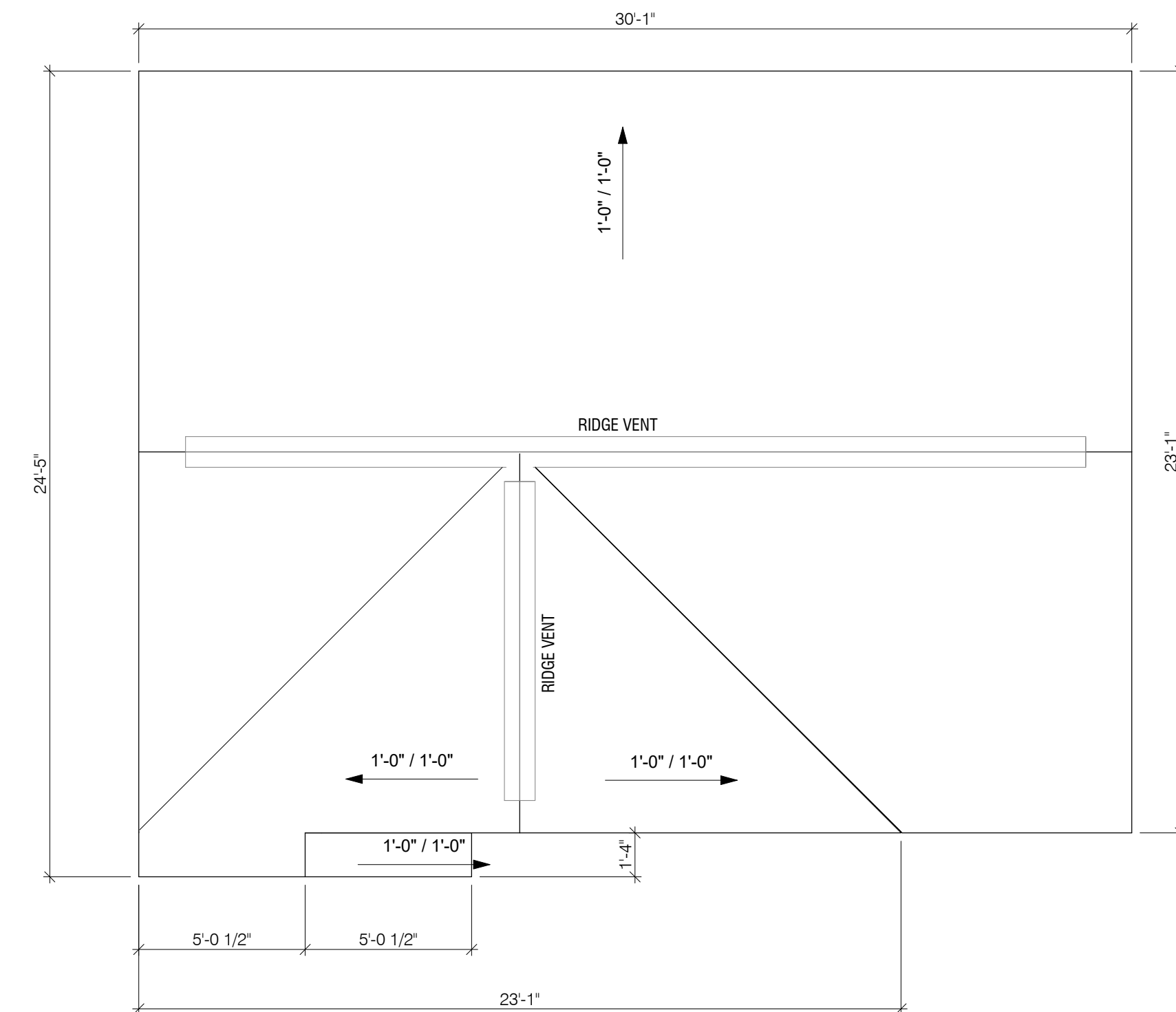
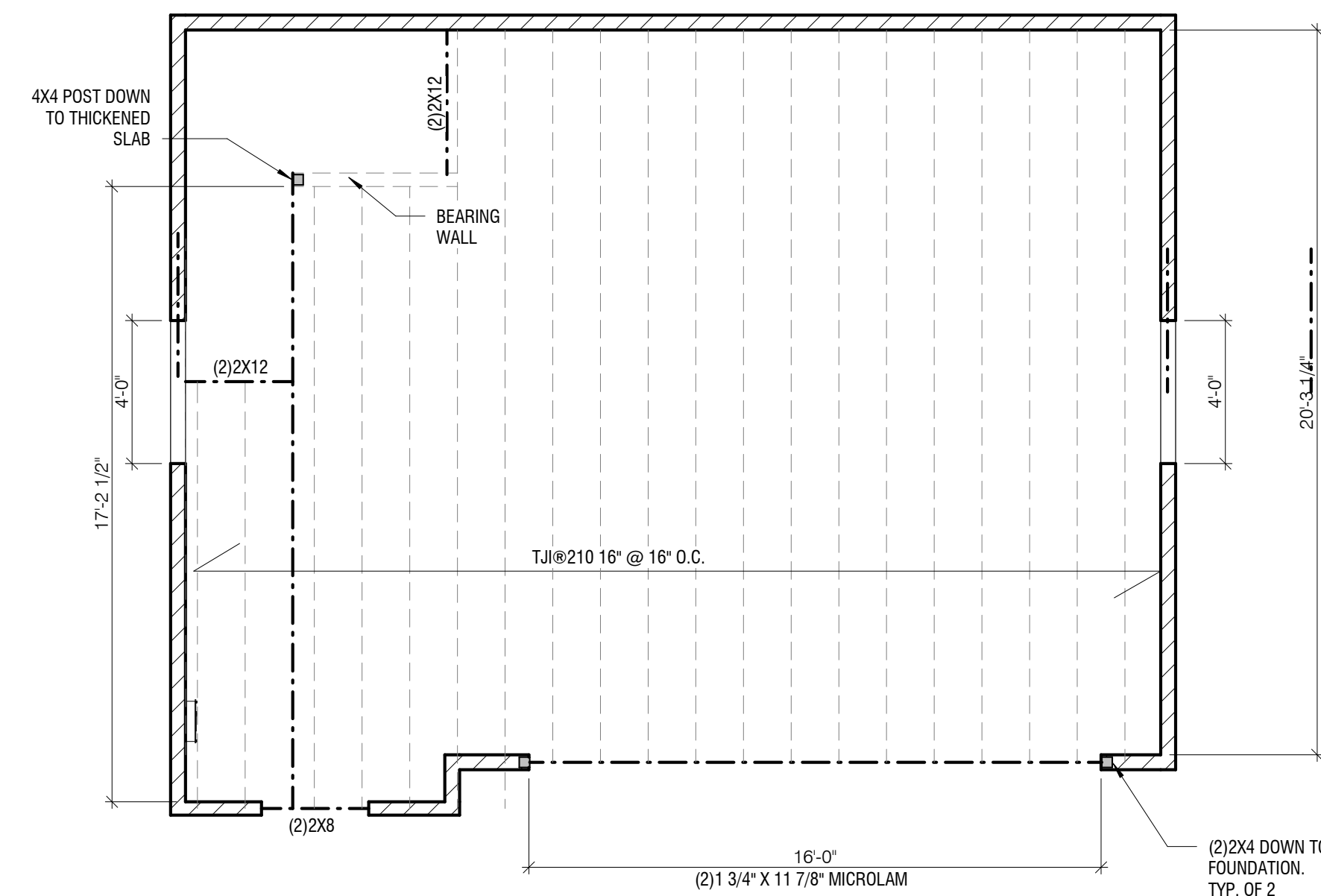
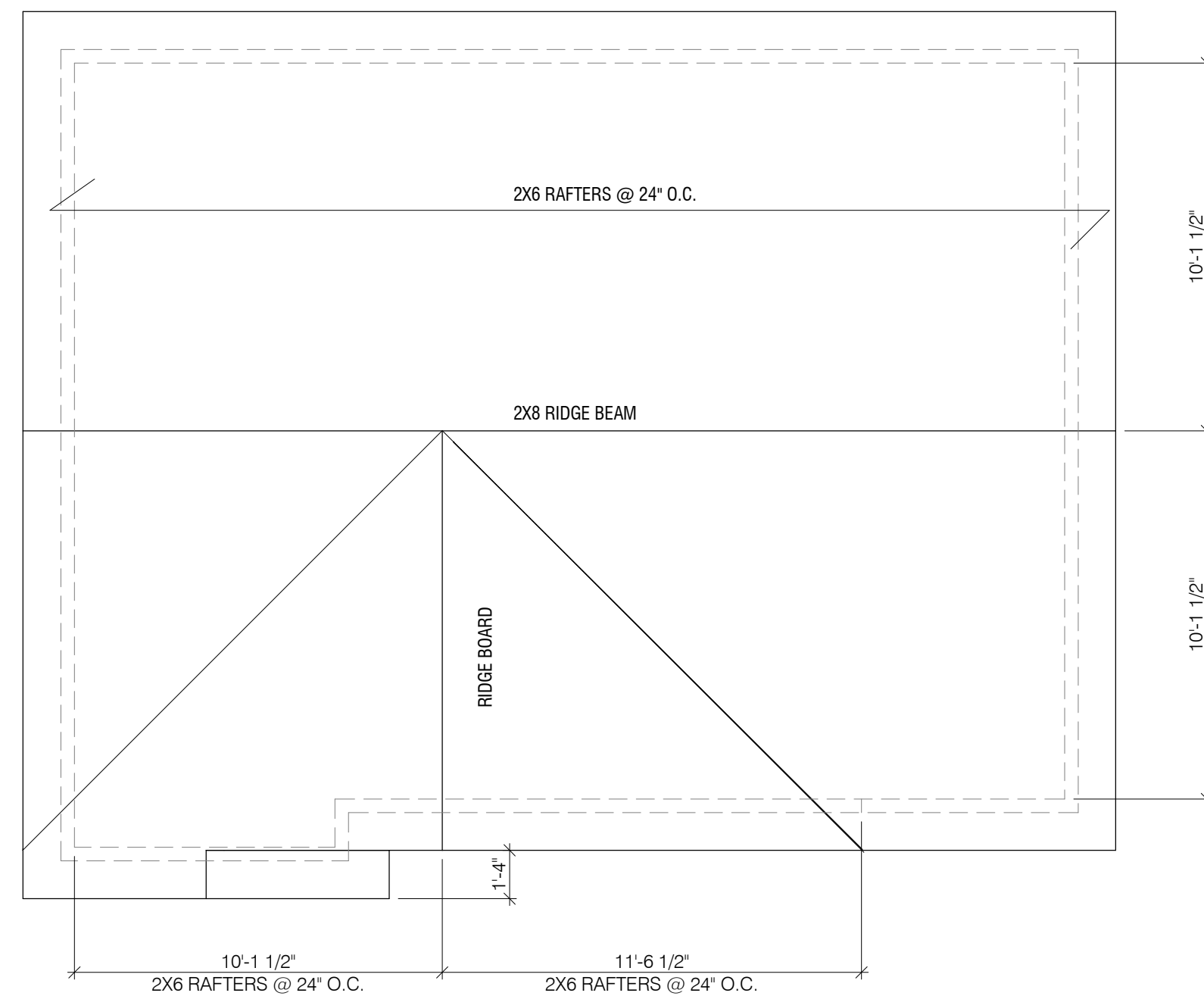
| | |
|---|-------------------------------|
| DRAWING SET | PROJECT NUMBER |
| <input type="checkbox"/> preliminary | |
| <input type="checkbox"/> check | |
| <input type="checkbox"/> bid | |
| <input checked="" type="checkbox"/> 08-28-2023 permit | DRAWING SET PERMIT SET |
| <input type="checkbox"/> construction | |
| REVISIONS | SEAL |
| 01-08-24 | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |



CITY OF WORTHINGTON
DRAWING NO. VAR 07-2024
DATE 02/06/2024

NORTHIGH DR ADDITION & GARAGE

141 Northigh Dr. Worthington, OH 43085



Drawings

☐ Preliminary _____

☐ Bid Set _____

☐ Permit Set _____

☐ Construction _____

| Revisions | | |
|-----------|------|-------------|
| # | Date | Description |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |



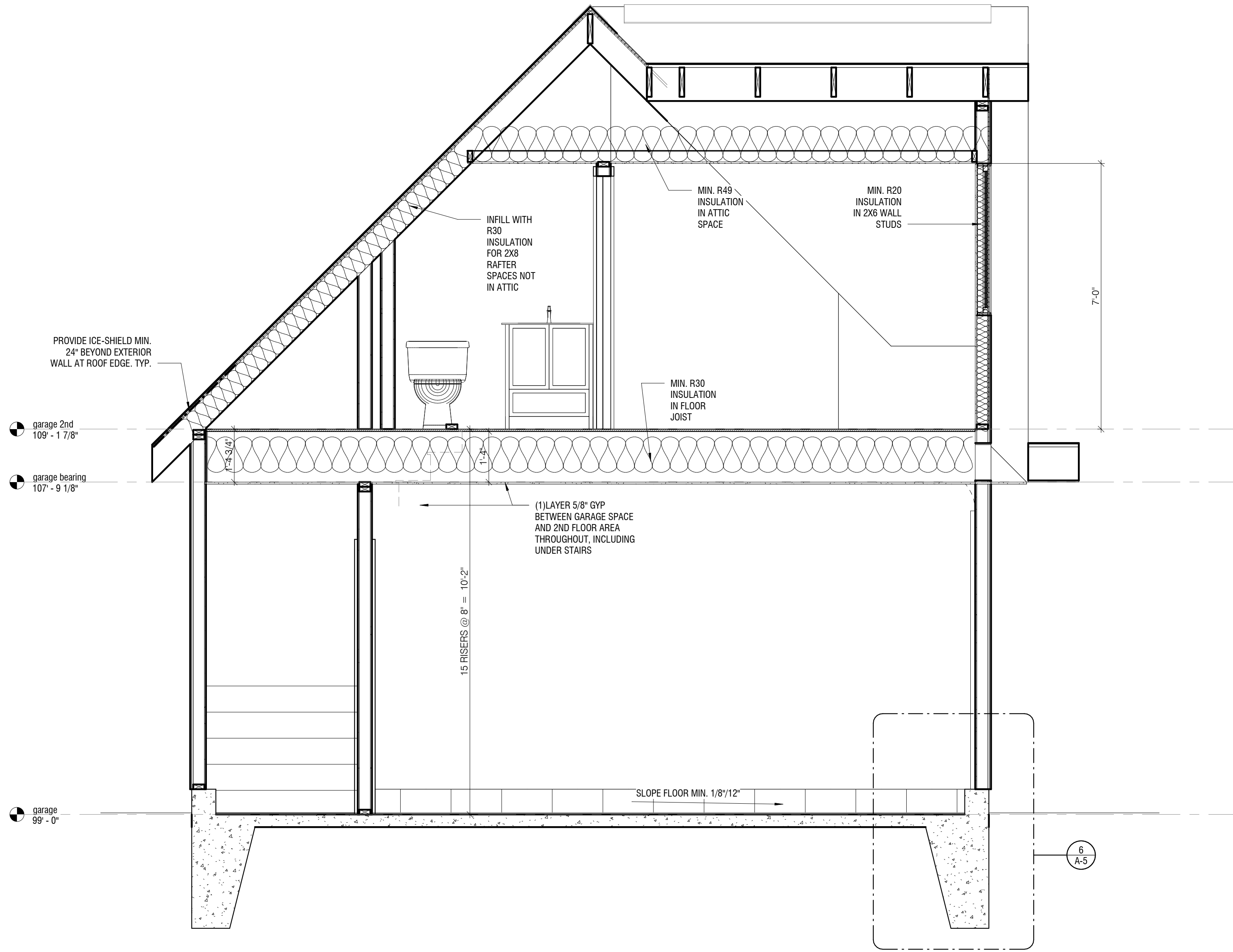
CITY OF WORTHINGTON
DRAWING NO. VAR 07-2024
DATE 02/06/2024

ARAGE

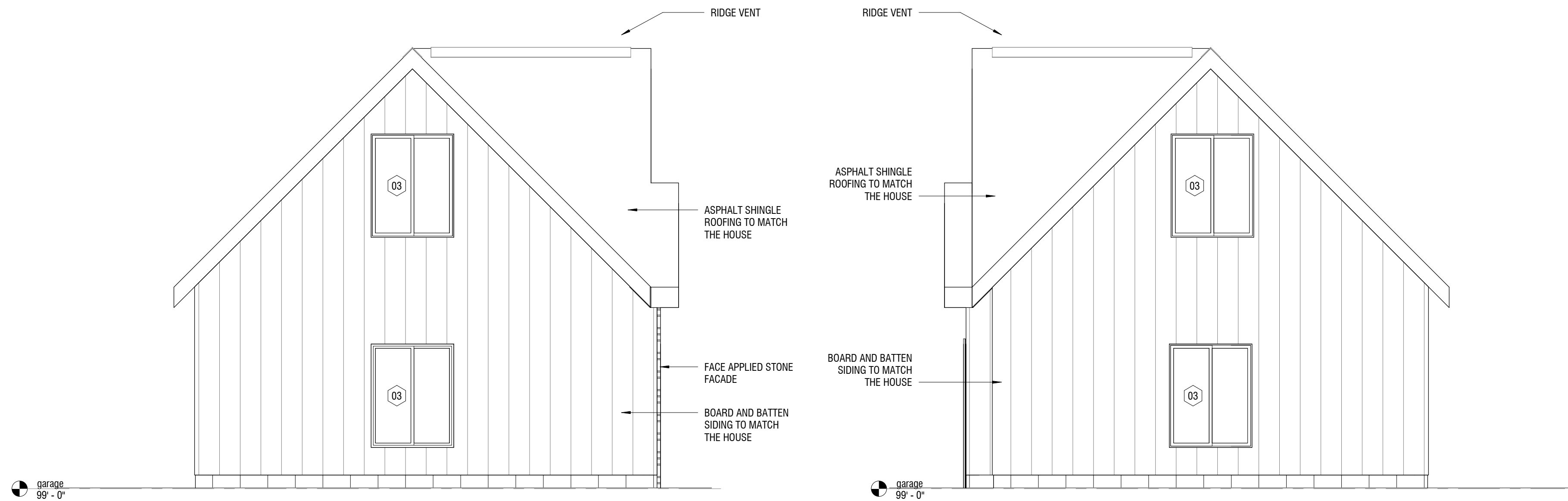
A-4

NORTH HIGH DR ADDITION & GARAGE

141 Northhigh Dr. Worthington, OH 43085

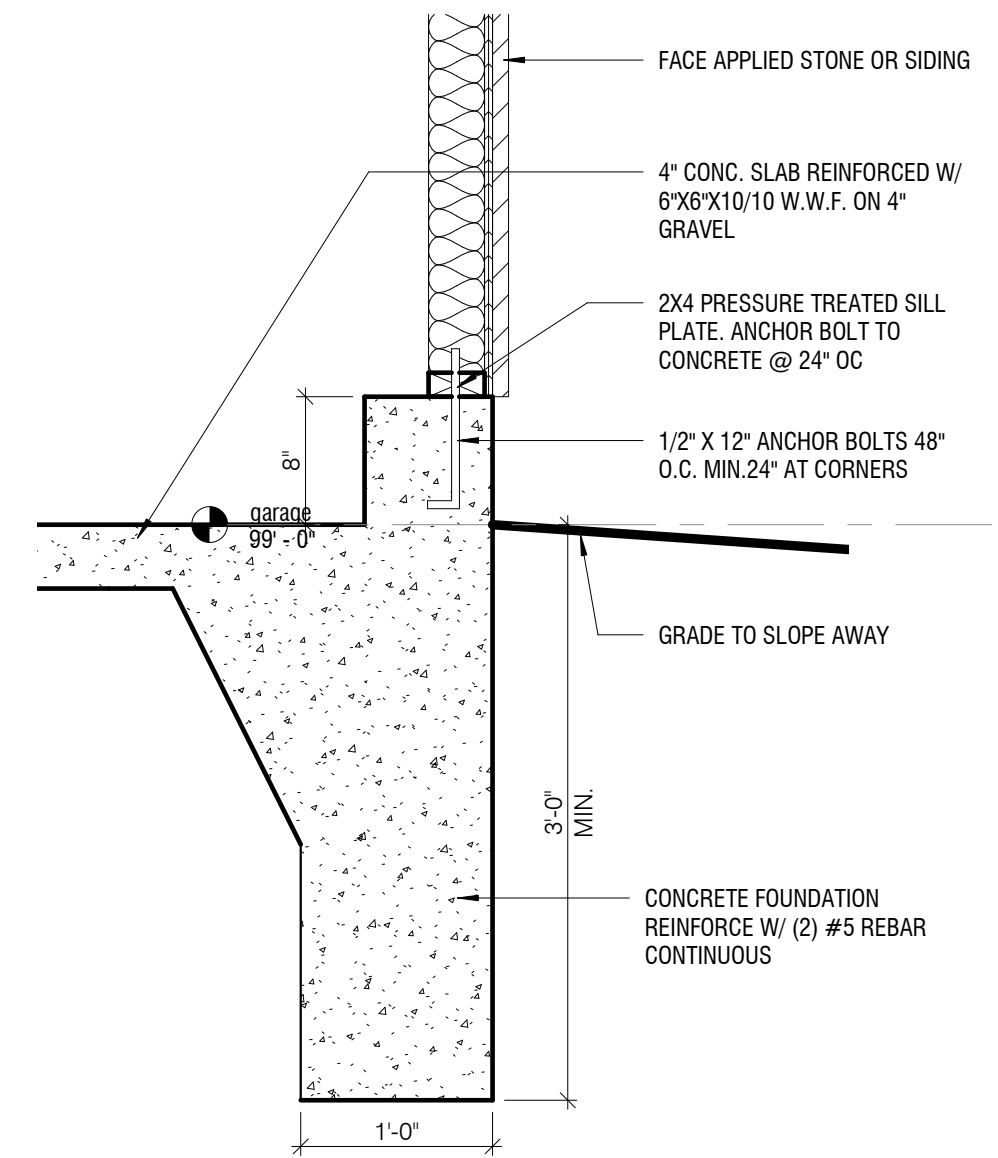


5 garage section
SCALE 1/2" = 1'-0"

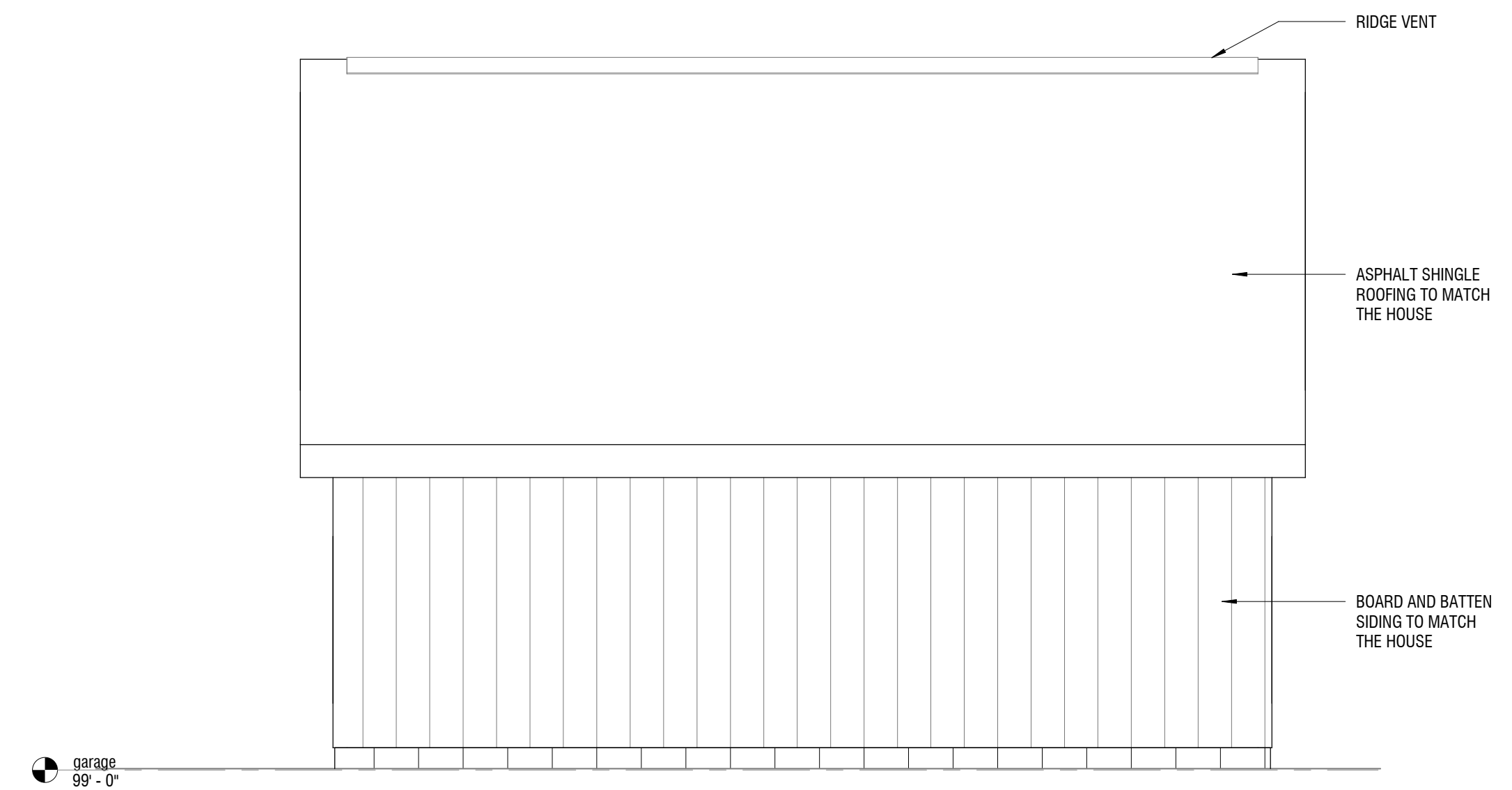


3 garage south
SCALE 1/4" = 1'-0"

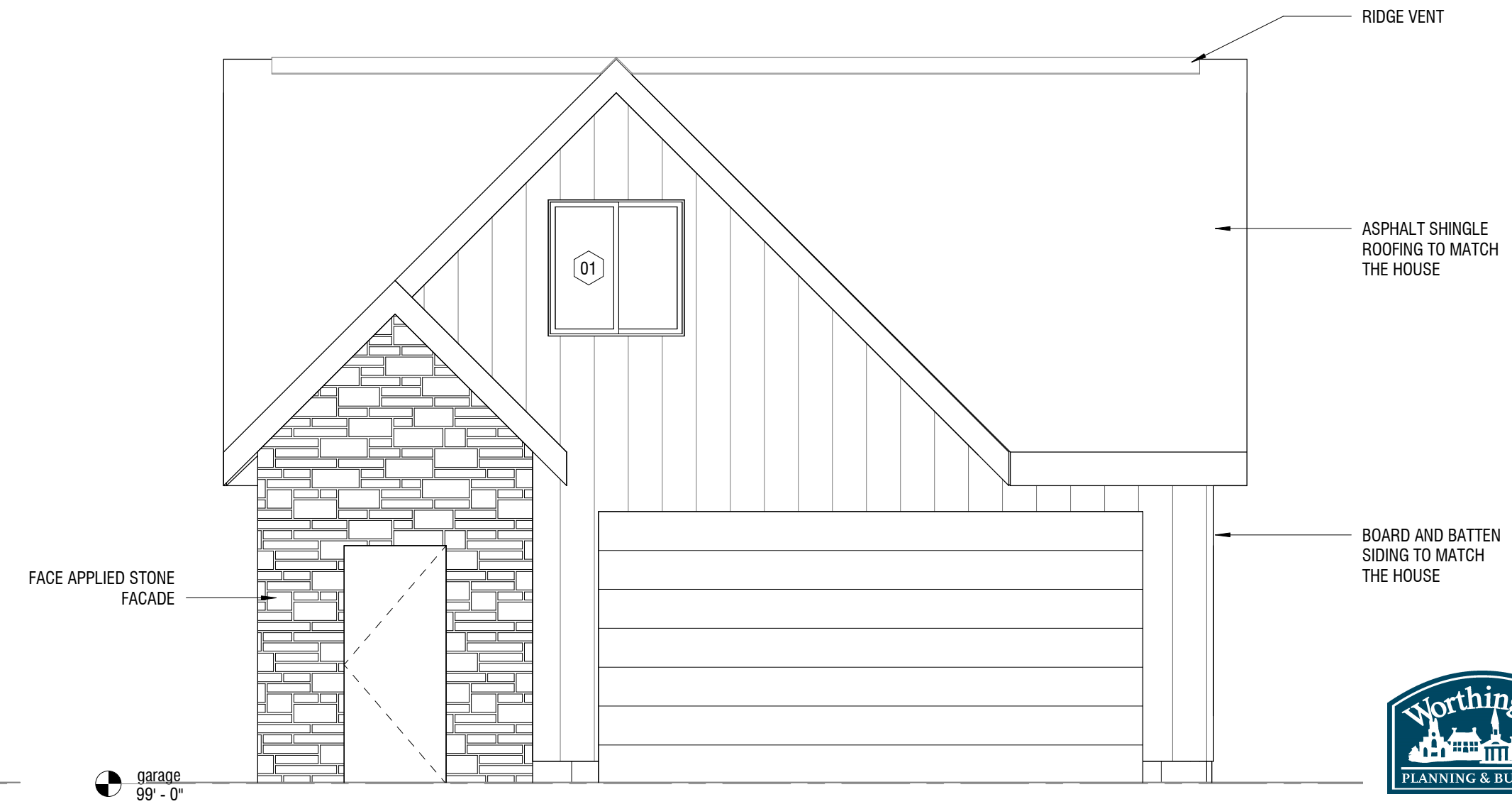
2 garage north
SCALE 1/4" = 1'-0"



6 garage foundation detail
SCALE 1" = 1'-0"



4 garage west
SCALE 1/4" = 1'-0"



1 garage east
SCALE 1/4" = 1'-0"

NORTHIGH DR ADDITION & GARAGE

141 Northigh Dr. Worthington, OH 43085

| Drawings | | |
|--------------------------|--------------|--|
| <input type="checkbox"/> | Preliminary | |
| <input type="checkbox"/> | Bid Set | |
| <input type="checkbox"/> | Permit Set | |
| <input type="checkbox"/> | Construction | |

| Revisions | | |
|-----------|------|-------------|
| # | Date | Description |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |



CITY OF WORTHINGTON
DRAWING NO. VAR 07-2024
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