



**BOARD OF ZONING APPEALS  
-AGENDA-  
Thursday, June 4, 2020 at 7:00 P.M.**

**This will be a virtual meeting that will be streamed on the internet:  
[worthington.org/live](http://worthington.org/live)**

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**A. Call to Order - 7:00 pm**

1. Roll Call
2. Pledge of Allegiance
3. Approval of minutes of the May 7, 2020 meeting

**B. Items of Public Hearing – New Business**

1. **Variance** – Rear Yard Setback – New Warehouse – **1018 Proprietors Rd.** (Michael J. Maistros, AIA) **BZA 16-2020**
2. **Variance** – Front Yard Setback – Porch – **661 Seabury Dr.** (Famiglia Homes/Piche) **BZA 17-2020**

**C. Other**

**D. Adjournment**



## MEMORANDUM

TO: Members of the Board of Zoning Appeals

FROM: R. Lee Brown, Director of Planning and Building  
Laney Nofer, Planning and Building Assistant

DATE: May 29, 2020

SUBJECT: Staff Memo for the Meeting of June 4, 2020

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### **Items of Public Hearing**

1. **Variance** – Rear Yard Setback – New Warehouse – **1018 Proprietors Rd.** (Michael J. Maistros, AIA) **BZA 16-2020**

### **Findings of Fact**

#### **Background:**

This property is in the I-1 (Restricted Light Industrial) Zoning District, and abuts the Norfolk Railroad. The parcel does not have frontage to Proprietors Road, as it is located behind other parcels. It does, however, have a means of access to Proprietors Road via an easement with a driveway.

The lot does not have a clear “front yard” due to not abutting a roadway. Staff then considers each lot line to be the rear yard; in the I-1 Zoning District, the rear yard setback is 30 feet.

With the current setback limitations, the construction of a new building with accommodating parking is not likely to fit within the buildable area of the lot. Thus, a variance is required for any new structure.

The parcel has an existing building on it, as well as parking to accommodate that building. The applicant would keep the existing building as a part of the project.

The applicant is proposing to construct a warehouse for Buckeye Heating and Cooling. The warehouse is proposed 50 feet wide by 325 feet in length for a total of 16,250 square feet. The northern section of the building will be 2 stories. With the 30 foot setback requirement, the building would encroach on the north and west property lines.

**Worthington Codified Ordinances:**

Section 1149.03 states requires all buildings other than dwellings in the I-1 Zoning District to be at least 30 feet from the rear yard property line.

**Request:**

The applicant is requesting to construct a new warehouse in the required rear yard setback. With the property not having frontage to the primary street, each lot line setback on all sides is 30 feet. A variance of approximately 3 feet is required for the northern lot line, and approximately 20 feet is required for the eastern lot line.

**Conclusions:**

Although the variance request is substantial, the east property line abuts a railroad; thus, would not physically encroach on another building or parking lot on that side. This can ease some of the impact of the request.

The shape of this lot is irregular, and has more stringent setback requirements than typical lots in this district, creating a practical difficulty.

The essential character of the neighborhood should not be substantially altered as the proposed warehouse will not be seen from the road, and is proposed to be mostly single-story.

The delivery of government services should not be affected with the construction of the warehouse.

**Motion:**

**THAT THE REQUEST BY MICHAEL J. MAISTROS FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A WAREHOUSE TO BE IN THE REQUIRED REAR YARD AT 1018 PROPRIETORS RD., AS PER CASE NO. BZA 16-2020, DRAWINGS NO. BZA 16-2020 DATED APRIL 20<sup>TH</sup>, 2020, BE UPHELD, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

2. **Variance – Front Yard Setback – Porch – 661 Seabury Dr. (Famiglia Homes/Piche)**  
**BZA 17-2020**

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

This property is in the R-10 (Low Density Residence) Zoning District and is on the corner regional thoroughfare Rt. 161 and Seabury Drive. This property is also subject to, and the proposed plans have been approved by the Architecture Review Board on May 14, 2020.

The applicant is proposing a new 34 foot by 8 foot concrete porch with a roof which will extend across the front of the house, and into the required front yard.

There are currently flower beds lining the front of the home that would be replaced with the proposed front porch. The applicant is requesting this variance to add a usable outdoor space, and to complement the character of the home

**Worthington Codified Ordinances:**

Section 1149.01 states any dwelling or structure accessory to a dwelling must be at least 30 feet from the public right-of-way.

Section 1149.07 states the setback along major traffic routes shall be 50 feet along regional thoroughfares.

**Request:**

The applicant is requesting to construct a porch in the required front yard. The porch is proposed to be 29 feet from Seabury Drive; a variance of 1 foot is required. The porch is proposed to be 37 feet from W. Dublin-Granville Road; a variance of 13 feet is required.

**Conclusions:**

The current dwelling is located closer to W. Dublin-Granville Road than the proposed porch; this lessens the impact of the variance request.

Although this lot is located off regional thoroughfare W. Dublin-Granville Rd., it is not easily seen by passerby's due to a grassy median which acts as a buffer.

The essential character of the neighborhood should not be substantially altered as other nearby properties have similar front porch coverings. In addition, the porch will match the existing character of the home.

The delivery of government services should not be affected with the installation of the porch.

**Motion:**

**THAT THE REQUEST BY FAMIGLIA HOMES ON BEHALF OF MICHAEL AND DANIELLE PICHE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A PORCH TO BE IN THE REQUIRED FRONT YARD AT 661 SEABURY, AS PER CASE NO. BZA 17-2020, DRAWINGS NO. BZA 17-2020 DATED MAY 8<sup>TH</sup>, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

## **1129.05 POWERS AND DUTIES.**

### **Review Criteria for Granting Area Variances by the Board of Zoning Appeals:**

(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.



MINUTES OF THE REGULAR MEETING  
BOARD OF ZONING APPEALS  
VIRTUAL MEETING

May 7, 2020

**A. Call to Order – 7:00 p.m.**

1. Roll Call - the following members were present: Mikel Coulter; Brian Seitz, D.J. Falcoski; Leah Reibel and Cynthia Crane. Also present were Lee Brown, Director of Planning and Building; and Lynda Bitar, Development Coordinator.
2. Approval of Minutes of the March 5, 2020 meeting  
  
Mr. Coulter moved to approve the minutes, and Mr. Seitz seconded the motion. All Board members voted, “Aye,” and the minutes were approved.
3. Affirmation/swearing in of witnesses will be before each speaker

**B. Items of Public Hearing – Unfinished**

Mr. Coulter moved to remove the following Agenda item from the table, and Mr. Seitz seconded the motion. All Board members voted, “Aye,” and the Agenda item was removed from the table.

1. **Extension of Construction Completion Period – Detached Garage - 100 W. South St. (Neil Toepfer) BZA 05-2020**

Mr. Brown presented BZA 05-2020 and BZA 12-2020 together and provided comments from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the R-10 (Low Density Residential) Zoning District within the Architecture Review District in Old Worthington. In March of 2018, the property owner was approved by the Architecture Review Board to demolish the existing dwelling and construct a new dwelling and garage on the property. In April 2018, the property owner was approved for a variance to construct the garage in the required side yard setback and to exceed the accessory building area limit for the District.

On June 5, 2018, the property owner applied for a permit to construct a new garage and workshop on the property. After four plan reviews, the permit had full approval. Inspections have been called over the life of the permit, but the permit has become invalid and an extension needs to be sought.

The unfinished look of the property has raised concerns by neighboring property owners and members of the community. The applicant has stated a few main reasons for the basis behind the status of the project; those reasons included health-related issues, contractor unavailability, and weather. The property owner is acting as the builder for the project as well, which has caused additional delays. The owner states the setbacks have been resolved and he is ready to move forward with work on the garage and dwelling in the upcoming summer months.

**Worthington Codified Ordinances:**

Section 1305.06(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.

Section 1305.06(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 eighteen-month period or additional time granted by the Board of Zoning Appeals shall constitute a violation of this code.

**Request:**

The applicant is requesting an extension of approximately 8 months (to the end of year 2020) to complete the construction of the garage. Staff feels this is an appropriate amount of time to finish the project, call for inspections, and close the permit.

**Conclusions:**

The site work has been in progress for over eighteen months. It is reasonable for the Board to consider an extension based on the issues addressed by the applicant and as this is the first extension being requested.

The exterior site work remains unfinished, which could be viewed as an eyesore for the neighborhood, particularly as it is located in historic Old Worthington. This unfinished work can affect the character of the neighborhood if not addressed.

The delivery of government services should not be affected with an extension to the project as long as all equipment and vehicles are outside of the public right-of-way.

**Discussion:**

Ms. Crane asked Mr. Brown how old the photographs of the construction site were taken, and he said fairly recently. Ms. Crane asked the applicant to identify himself. Mr. Neil Toepher and his wife Karen Madden are the property owners, 100 W. South St., Worthington, Ohio. Ms. Crane asked how the progress was coming along and Mr. Toepher said since the photographs were taken a few weeks ago, there had been a significant amount of progress on the exterior of the garage. He showed photographs of the progress that has been made. Board members had no other comments or concerns. Mrs. Bitar said she received an email a week before this meeting and she shared that email with the Board members that came from the neighbor, Mr. Fritz Graph. He said he was in support of the extension until December 31, 2020, and that he would like Mr. Toepher to make sure he has the proper barriers in place to avoid people having an accident near the site, and to make sure he cleans up any trash in the area.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY NEIL TOEPHER FOR AN EXTENSION OF THE CONSTRUCTION COMPLETION PERIOD UNTIL DECEMBER 31, 2020 AT 100 W. SOUTH ST., AS PER CASE NO. BZA 05-2020, DRAWINGS NO. BZA 05-2020 DATED JANUARY 30<sup>TH</sup>, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Coulter seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

**C. Items of Public Hearing - New**

- 1. Extension of Construction Completion Period – House – 100 W. South St. (Neil Toefer) BZA 12-2020**

Mr. Brown presented BZA 05-2020 and BZA 2020 together and provided comments from the staff memo:

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

This property is in the R-10 (Low Density Residential) Zoning District within the Architecture Review District in Old Worthington. In March of 2018, the property owner



was approved by the Architecture Review Board to demolish the existing dwelling and construct a new dwelling and garage on the property.

On June 5, 2018, the property owner applied for a permit to construct a new single-family dwelling on the property. After four plan reviews, the permit had full plan approval. Inspections have been called over the life of the permit but as eighteen months have passed, the permit has become invalid and an extension needs to be sought in order for site work to continue.

The unfinished look of the property has raised concerns by neighboring property owners and members of the community. The applicant has stated a few main reasons for the basis behind the status of the project; those reasons included health-related issues, contractor unavailability, and weather. The property owner is acting as the builder for the project as well, which has caused additional delays. The owner states the setbacks have been resolved and he is ready to move forward with work on the garage and dwelling in the upcoming summer months.

**Worthington Codified Ordinances:**

Section 1305.06(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.

Section 1305.06(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 eighteen-month period or additional time granted by the Board of Zoning Appeals shall constitute a violation of this code.

**Request:**

The applicant is requesting an extension of approximately 8 months (to the end of year 2020) to complete the construction of the dwelling. Staff feels this is an appropriate amount of time to finish the project, call for inspections, and close the permit.

**Conclusions:**

The site work has been in progress for over eighteen months. It is reasonable for the Board to consider an extension based on the issues addressed by the applicant and as this is the first extension being requested.

The exterior site work remains unfinished, which could be viewed as an eyesore for the neighborhood, particularly as it is located in historic Old Worthington. This unfinished work can affect the character of the neighborhood if not addressed.

The delivery of government services should not be affected with an extension to the project as long as all equipment and vehicles are outside of the public right-of-way.

**Discussion:**

Please see discussion comments above. The two applications were presented together, however there was a separate vote on each application.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY NEIL TOEPHER FOR AN EXTENSION OF THE CONSTRUCTION COMPLETION PERIOD UNTIL DECEMBER 31, 2020, AT 100 W. SOUTH ST. AS PER CASE NO. BZA 12-2020, DRAWINGS NO. BZA 12-2020 DATED APRIL 2, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Coulter seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

**2. Variance – Side Yard Setback – Addition – 642 Farrington Dr. (Dan Shellenbarger)  
BZA 10-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This approximate 10,019 square foot wedge shaped property located in Kilbourne Village is in the R-10 (Low Density Residential) Zoning District. The existing bi-level house was built in 1964 and is approximately 1,658 sq. ft. in size.

The applicant is proposing an extensive renovation and expansion of the existing dwelling. The applicant will be expanding their master suite over the exiting garage while also constructing a new 365 sq. ft. family room addition to the rear of the home off the main level. The addition would be 6.6-feet to 8-feet from the side property line; the varying dimensions are due to the wedged shape of the property. Only a small portion of the proposed family room addition will encroach into the side yard setback for approximately 2-3-feet.

**Worthington Codified Ordinances:**

Section 1149.01 states any dwelling or structure accessory to a dwelling must be at least 8-feet from the side yard property line for a sum of side yards of 20-feet.

**Request:**

The applicant is requesting to construct an addition to the rear of the dwelling that will encroach in the required side yard. A variance of 1.4-feet is required.

**Conclusions:**

The property is unique in the fact that it is a wedge-shaped lot that narrows towards the rear of the lot making the rear family room addition difficult. The family room addition will follow the existing building line along northeastern side of the house. There is also a slight elevation change with the subject property sitting a few feet lower than the neighbor's property to the northeast. Typically, any addition to an existing bi-level home is difficult because of the multiple floor levels. In this particular case, available rear yard space for building footprint is less than typical lots. These factors can mitigate the nature of this variance request.

The essential character of the neighborhood should not be substantially altered as many properties in the vicinity have rear additions that are hardly visible from the street. The side yard setbacks are very similar to what is proposed throughout this area.

The delivery of government services shall not be affected.

**Discussion:**

Ms. Crane asked if the applicant had any additional comments, and Mr. Shellenbarger said his back yard was ugly. Board members did not have any comments or concerns. Ms. Crane asked if there was anyone else that had comments or questions, but there were no other comments.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY DAN SHELLNBARGER FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR AN ADDITION TO BE CONSTRUCTED IN THE REQUIRED SIDE YARD AT 642 FARRINGTON DR., AS PER CASE NO. BZA 10-2020, DRAWINGS NO. BZA 10-2020 DATED MARCH 31<sup>ST</sup>, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Falcoski seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

3. **Variance – Side Yard Setback – Canopy – 849 Oxford St.** (Justin Del Col Shearer Landscaping/McGarry) **BZA 11-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the R-10 (Low Density Residential) Zoning District and within the Architectural Review District. This Colonial Revival style house was originally built in 1938 and went through an addition and renovation project from 2011 – 2013 that considerably modified the look of the house and property. At that time a patio was proposed and installed on the south side of the property at the rear of the house.

In 2019 the owner gained approval from the Architectural Review Board to resurface and extend the patio and add a 14’ x 14’ canopy structure above a portion of the patio for shade. The canopy would be matte black mounted on Western Red Cedar beams with LED string lights around the edge of the canopy. The canopy is proposed 4’3” from the south property line. A 4’ wide section of plant material along the south property line would remain.

The two closest neighbors approve of the structure per the documents included with the application.

**Worthington Codified Ordinances:**

Section 1149.08(b) of the Worthington Codified Ordinances requires accessory buildings exceeding 120 square feet be located at least 8’ from side lot lines.

**Request:**

The canopy structure would encroach into the required south side yard. A variance of 3’9” is required.

**Conclusions:**

The essential character of the neighborhood should not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance. A canopy structure is not a typical accessory structure because it does not have walls. Also, the structure would be partially obscured by the front of the house and landscaping.

The delivery of government services shall not be affected.

**Discussion:**

Mr. Brown said he had received two emails from the neighbors who were not against the proposed project. Board members had no comments or concerns. Ms. Crane asked if Ms. Bitar had received any more comments and she replied no.

**Motion:**

Mr. Coulter moved:

**THAT THE REQUEST BY JUSTIN DEL COL SHEARER LANDSCAPING ON BEHALF OF BRIAN P. MCGARRY FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A CANOPY TO BE INSTALLED IN THE REQUIRED SIDE YARD AT 849 OXFORD ST., AS PER CASE NO. BZA 11-2020, DRAWINGS NO. BZA 11-2020 DATED APRIL 8, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Falcoski seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

**4. Variance – Setback from Alley – Fence – 171 Franklin Ave. (Mikele Mahaffey-OHL)  
BZA 13-2020**

Mr. Brown reviewed the following from the staff memo:

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

The property is in the R-10 (Low Density Residential) zoning district on the southside of Franklin Ave., which was platted in 1896 as part of the Griswold’s East Side Addition. The property abuts an unimproved alley at the rear of the property which runs parallel to Franklin Ave. and E. Granville Rd. (SR-161) between Morning St. and Pingree Dr.

The applicant is proposing to install a 6-foot high privacy fence around the entire property. The sketch provided by the fence contractor shows the fence following the property lines, however the site plan that was submitted by the applicant shows the fence to be located off the western property line. Staff contacted the applicant for clarification on where the fence will be located since the materials provided seem to be conflicting. The applicant originally stated that they would like the fence to be 18-inches off the western property line. The remainder of the fence would follow the property lines. On April 23, 2020, the applicant amended their application to have the fence 3-feet off the western property line. This will alleviate any concerns over the property owner’s ability to maintain the area between their proposed fence and the existing 4-foot fence on the neighboring property to the west.

The applicant is requesting to fence in the entire lot with a 6-foot fence for privacy. The applicant has also stated that they have two large dogs and is one of the main reasons for needing a 6-foot fence around their property.

**Worthington Codified Ordinances:**

Section 1180.02(a) states that no fence or wall shall be erected in the area between the right-of-way line and the building setback line.

**Request:**

The applicant is requesting to install a fence along the rear yard property line which abuts an unimproved alley right-of-way. A variance of 30 feet is needed.

**Conclusion:**

The alley behind the property is unimproved and runs between Morning St. and Pingree Dr. There is existing vegetation and trees on the site.

The applicant provided a list of surrounding properties on Franklin Ave., Pingree Dr. and E. Granville Rd. (SR-161) that have either a 4-foot or 6-foot fence that abut the unimproved alleyway, however we could only find approval or a permit for only four of the nine addresses provided by the applicant.

The immediate neighbor to the west has an existing fence that is approximately 4-feet in height that extends all the way to the unimproved alleyway. No approval or permit was found for this fence either.

The essential character of the neighborhood should not be substantially altered. There are several properties in the immediate vicinity that have 4-foot to 6-foot tall fences in their rear yards. The unimproved alleyway is not accessed by the general public and would not be visible from Franklin Ave. that the fence encroaches into the front setback.

The amended application alleviates any concern that City staff had related to maintenance in the area between the two fences. We originally felt that it would create a dead space between the properties that would be difficult to maintain. The 3-foot setback is consistent with the Board's previous recommendations for setbacks being a minimum of 3-feet from property lines for maintenance.

The delivery of governmental services should not be affected.

**Discussion:**

Mr. Brown said he and Mrs. Bitar received a few comments which would be discussed at the appropriate time. Ms. Crane said the alley way looks like lawn but asked if it was

legally a street. Mr. Brown said the area is legally Right-of-Way which is owned by the City. Ms. Crane asked how far back the fence would go and Mr. Brown explained the fence would line up with the neighbor's fence. Ms. Crane asked if the applicant was present and if she had anything to add to staff's presentation and she said no. Board members had no comments or concerns. Mrs. Bitar read the neighbor's concerns about wanting the applicants to rope off or spray paint where the fence would be located; to not allow their two large dogs to stay outside barking; the fence would need to be maintained and remove any mold annually; any dead trees in the back yard to be removed; and have the high grass removed from both sides of the house. The neighbor said she did not know exactly where the property lines were due to established gardens and trees. Mr. Brown explained the owner was going to have a boundary survey done because she could only put the fence on her own property. Ms. Crane asked if there was anyone else who wanted to speak but no one came forward.

**Motion:**

Mr. Falcoski moved:

**THAT THE REQUEST BY MIKELE MAHAFFEY-OHL FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A FENCE TO BE INSTALLED IN THE SETBACK AT 171 FRANKLIN AVE. AS PER CASE BZA 13-2020, DRAWINGS NO. BZA 13-2020 DATED APRIL 9, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Seitz seconded the motion. Mrs. Bitar called the roll. All Board members voted, "Aye," and the motion was approved.

**5. Variances – Sign Regulations – Freestanding and Wall Signs – 6121 Huntley Rd.  
(Jim McFarland/ DLZ) BZA 14-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background:**

This property is in the I-2 (General Industrial) Zoning District and is 5.993 acres located on the west side of Huntley Road. The properties to the north and east are also zoned as I-2; to the west there are railroad tracks and I-1 zoned property; and to the south there is a car dealership in the C-4 Zoning District and another I-2 property.

DLZ has a temporary freestanding sign at the front corner of the building and there are small (12 square foot) signs on awnings above the south and west entrances to the building.

Previously there was a wall sign on the front of the building, but it was removed last year. No variance was granted to allow the two wall mounted signs on the entrance awnings, so inclusion in this request is a way to remedy that situation. Also, a new freestanding sign is being proposed that would be slightly larger than the Code allows.

**Worthington Codified Ordinances:**

**1170.05 Commercial and Industrial District Requirements**

(a) Sign area. Allowable permanent sign area for any single business shall be limited according to the widths of the building or part of the building occupied by such enterprise. For the purposes of this section, width shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either frontage may be used in determining maximum area for signage. The area of all permanent signs for any single business shall be equivalent to one and one-half square feet of sign area for each lineal foot of width of the building or part of the building, but shall not exceed a maximum area of 100 square feet per business.

(b) Wall-mounted signage. Each business shall be permitted one wall-mounted sign.

(c) Freestanding Signage. There shall be no more than one freestanding sign per parcel. No part of any freestanding sign shall exceed an above-grade height of fifteen feet. Freestanding signs shall not be larger than sixty percent (60%) of the total sign area allowed for under Section [1170.05](#) (a). Freestanding signs shall be located not closer than ten feet to a public right of way or thirty-five feet to an adjoining property line.

**Request:**

1. The applicant is requesting approval of a freestanding sign that is 12' tall and 2'9" wide (as measured per the Code) for sign area of 33 square feet per side or 66 square feet total. The proposed sign is curved at in the top 20" so the actual area is less. A variance of 6 square feet is requested. The sign is proposed in an existing planting bed and would be 12' from the right-of-way.
2. Two awning signs are present on the building: the south sign is 6.6 square feet in area; the west sign is 16.6 square feet in area. The Code only allows one wall sign per business so a variance for an additional wall sign is required.
3. With removal of the existing freestanding sign and retention of the awning signs, total sign area is 90.3 square feet which is less than the 100 square feet total per business allowed in the Code.

**Conclusions:**

The requested variances are minimal and would not change the character of the property. Total signage still is less than the maximum allowed in the Code.

The delivery of government services should not be affected.



**Discussion:**

Ms. Crane asked the applicant if he had additional comments and he said once they can safely go on the property, they would remove the temporary sign before installing the permanent sign. Board members had no questions or concerns. There were no additional comments from the public.

**Motion:**

Mr. Coulter moved:

**THAT THE REQUEST BY JIM MCFARLAND ON BEHALF OF DLZ FOR VARIANCES FROM CODE REQUIREMENTS FOR SIGNAGE AT 6121 HUNTLEY RD. AS PER CASE BZA 14-2020, DRAWINGS NO. BZA 14-2020 DATED APRIL 14, 2020, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Mr. Seitz seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

**6. Variance – Front Yard Setback & Material – Fence – 6580 Huntley Rd.  
(SuperGames) BZA 15-2020**

Mr. Brown reviewed the following from the staff memo:

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

This 2.58-acre property is located in the I-2 (General Industrial) Zoning District on the east side of Huntley Rd. The property was formerly Tropical Nut & Fruit and is now the new home of Super Games since their relocation from Lakeview Plaza in 2019.

The applicant is requesting to install a 4-foot tall decorative wood fence on the north side and south side of the existing 36,105 sq. ft. building. There will also be a chain/cable across the access drives that will serve as a barrier to prevent vehicles from entering and existing the site for the northern and southern access points to the site. The portion of the fence that will be located south of the building will encroach into the front yard setback by approximately 20-feet and will not meet the material requirement for fences for properties located in the industrial district.

In December 2019, the Board approved a variance for oversized signage on the site.

**Worthington Codified Ordinances:**

Section 1149.02 states any structure must be located a minimum of forty (40-feet) from the public right-of-way.

Section 1180.04 states that in any Industrial District, no fence or wall shall be erected in the area between the street line and the building setback line. No fence or wall in an Industrial District shall exceed a height of ten feet. Fences constructed in an Industrial District shall be of chain link or masonry construction except junk storage and junk sales yards shall be fenced with a solid fence of brick construction to a height of not less than ten feet.

**Request:**

The applicant is requesting to encroach into the front yard setback on the southern side of the building with a 4' high decorative fence, and for the fence to be a decorative wood fence vs. chain link or masonry.

A variance of 20-feet is required and a variance for fence material.

**Conclusions:**

The existing parking lot on the southern side of the building already encroaches into the front yard setback, the decorative fence would be in the same location and would actual help screen the vehicles that park in the parking lot. The decorative fencing will be much more aesthetically attractive than the installation of a chain link or masonry fence in this area. A 4' high fence would still permit you to see into the site from the roadway and would not create a fortress appearance.

The applicant will need to meet the requirements discussed with the Division of Fire related to the chain/cable that is proposed to go across the access drives to the site.

The essential character of the neighborhood should not be substantially altered, as this will be an overall aesthetic improvement on the site while providing security.

The delivery of governmental services should not be affected.

**Discussion:**

Ms. Crane asked the applicant if he had any additional comments to staff's presentation and he said no. Board members had no questions or concerns. There were no comments from the public.

**Motion:**

Mr. Seitz moved:

**THAT THE REQUEST BY SUPER GAMES FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A DECORATIVE FENCE TO BE LOCATED IN THE FRONT SETBACK AT 6580 HUNTLEY ROAD., AS PER CASE NO. BZA 15-2020, DRAWINGS NO. BZA 15-2020 DATED APRIL 13, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.**

Ms. Reibel seconded the motion. Mrs. Bitar called the roll. All Board members voted, “Aye,” and the motion was approved.

**D. Other**

There was no other business to discuss

**E. Adjournment**

Mr. Seitz moved to adjourn the meeting, and Ms. Reibel seconded the motion. All Board members voted, “Aye,” and the meeting adjourned at 8:51 p.m.



# City of Worthington

## BOARD OF ZONING APPEALS

### APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 16-2020
Date Received	04-20-2020
Fee	\$25
Meeting Date	06-04-2020
Filing Deadline	

1. **Property Location** 1018 Proprietors Road, Worthington, Ohio 43085
2. **Present/Proposed Use** Business (B) & Warehouse (S-2) for HVAC Company
3. **Zoning District** I-1
4. **Applicant** Michael j. Maistros, AIA  
**Address** 4740 Reed Road, Ste 201 Upper Arlington, Ohio 43220  
**Phone Number(s)** (w) 614-884-8888 (c) 614-306-7332  
**Email** mjmaistros@new-avenue.net
5. **Property Owner** 1018 Proprietors LLC  
**Address** 6490 Plesenton Drive, Worthington, Ohio 43085  
**Phone Number(s)** 614-888-4328  
**Email** bwentz@buckeyeheating.com
6. **Action Requested (ie. type of variance)** Rear Yard Setback decrease from 30' to 10'
7. **Project Details:**
  - a) **Description** New Office/Warehouse PEMB construction
  - b) **Expected Completion Date** 10/01/2020
  - c) **Approximate Cost** \$750,000.00

**PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:**

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

[Signature]  
Applicant (Signature)

04/20/2020  
Date

[Signature]  
Property Owner (Signature)

04/20/2020  
Date

ABUTTING PROPERTY OWNERS  
FOR

1018 Proprietors Rd

MSM6 LLC	1028 Proprietors Rd.	Worthington, OH 43085
Tenant	1004 Proprietors Rd.	Worthington, OH 43085
Charles Megla	PO Box 360	Worthington, OH 43085
Diamond Innovations Inc.	6325 Huntley Rd.	Worthington, OH 43085
The Griffin 105 Group LLC	470 Olde Worthington Rd. Suite 100.	Worthington, OH 43085
Ohio Railway Museum Inc.	990 Proprietors Rd.	Worthington, OH 43085
S&T Group	966 Proprietors Rd.	Worthington, OH 43085



## **Worthington BZA – Supporting Statement**

### **Buckeye Heating & Cooling – New Office/Warehouse Building**

1018 Proprietors Road  
Worthington, Ohio 43085

April 20, 2020

The required Supporting Statements are as follows:

- 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;**

The unique conditions and configuration of the site would not allow an further development on an otherwise usable lot, if the current 30 foot rear yard setback for all property lines were maintained.

- 2. Whether the variance is substantial;**

Although a 20 foot reduction in a setback is typical considered substantial, the property line most affected by this reduction request is the West side of the property which is adjacent to the railroad tracks, thus would not physically encroach on another building or parking lot.

- 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;**

No. The site is currently tucked behind the existing office building on the site and the Railway Museum directly on Proprietors Road.

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

No. All utilities will be modified or upgraded as needed to meet all government regulations or code related requirements.



**5. Whether the property owner purchased the property with knowledge of the zoning restriction;**

The Owner was not aware of the 30 foot setback requirement on all property lines.

**6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;**

With the current setback requirements on the site, there would be no way of configuring the proposed building and have the necessary parking and drive access area with this reduction.

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

Yes, the rear yard setback being enforced on all sides of this property due to the fact that there is no real front yard to this site is an unfair hardship and renders a large portion of the site undevelopable if maintained.

Respectfully submitted,

Michael J. Maistros, AIA

*Principal*

***New Avenue Architects and Engineers***

*Proj. 20-0028*



1018 Proprietors Rd.





# Buckeye Heating & Cooling - *New Office / Warehouse*

1018 Proprietors Road, Worthington, Ohio 43085

CITY OF WORTHINGTON

DRAWING NO. BZA 16-2020

DATE 04/20/2020

### Project Scope of Work:

These drawings are for the Construction of a new Pre-Engineered Metal Building for the expanded Office and Warehouse use by the Buckeye Heating & Cooling company.

The new 2-story structure shall have a footprint of 50 feet by 325 feet with a small office area on the North end of the building and warehouse and storage to the South.

### Building Areas:

<u>First Floor Building Area:</u>		
Office Area:	1,367	Gross Square Feet
Warehouse/Storage:	8,558	Gross Square Feet
<u>Future Tenant Area:</u>	<u>6,325</u>	<u>Gross Square Feet</u>
Total First Floor:	<b>16,250</b>	<b>Gross Square Feet</b>
<u>Second Floor Building Area:</u>		
Office Area:	1,523	Gross Square Feet
Mezzanine/Storage:	6,310	Gross Square Feet
Total Second Floor:	<b>7,833</b>	<b>Gross Square Feet</b>
<u>Total Building Area:</u>	<u><b>24,083</b></u>	<u><b>Gross Square Feet</b></u>

### Building Summary:

Structure:	New PEMB Office / Warehouse Building
Exterior Walls:	Steel Frame (PEMB) & Metal Wall Panels
Floor Construction:	Concrete Slab-on-Grade
Roof Construction:	Steel Frame (PEMB) with Metal Roof Decking

### General Requirements

- Due to New Avenue, LLC having limited access to the project site during the design phase, the Contractor shall visit the site to verify all plan and existing dimensions and conditions. If there are any discrepancies, New Avenue, LLC shall be notified prior to proceeding construction or the builder shall be responsible for same.
- The Contractor shall be familiar with provisions of all applicable codes and shall insure compliance of work to those codes.
- These documents do not include the necessary components for construction safety. Safety, care of adjacent properties during construction, compliance with state and federal regulations regarding safety, and compliance with requirements specified in the Owner/Contractor contract is, and shall be, the Builder's responsibility.
- The Contractor shall supervise and direct the work and shall be solely responsible for all construction means, methods, techniques, and safety procedures and for coordinating all portions of the work.
- If in the event of conflict between local, state, and national codes, the more stringent shall govern.
- Use of these Documents beyond the construction of this particular building, as indicated by the certified addresses, including sale of these plans to a third party for any use whatsoever, without the written permission of New Avenue, LLC of Upper Arlington, Ohio is strictly forbidden and is just cause for filing suit against the perpetrator.
- The term "Work" as used in these notes shall include all provisions as drawn or specified in these documents as provided by New Avenue, LLC.

### Drawing List:

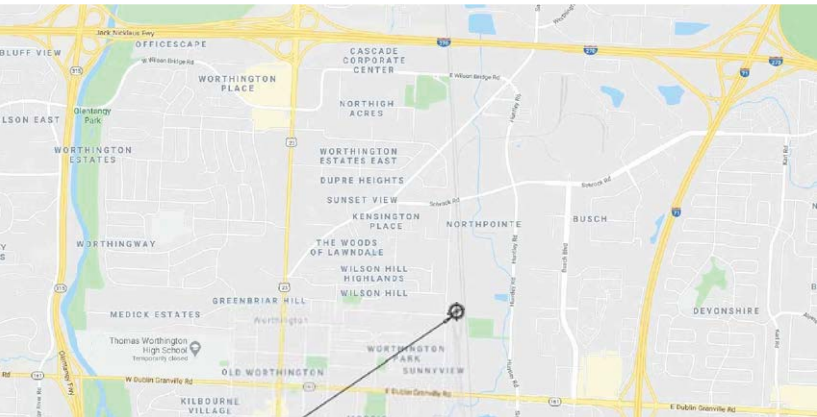
No.	Sheet:	Sheet Name:	Revisions				
1.	G0.0	Cover Sheet & Project Information					
2.	G0.1	General Construction Notes & Symbol Legend					
3.	G0.2	Code Data & Structural Inspection Information					
4.	SP1.1	Architectural Site Plan					
5.	A1.1	First Floor Building Plan					
6.	A1.2	Second Floor Building Plan					
7.	A2.1	Partial Enlarged Floor Plans					
8.	A3.1	Reflected Ceiling Plans					
9.	A4.1	Interior Elevations					
10.	A5.1	Exterior Elevations					
11.	A6.1	Building Section					
12.	A7.1	Typical Wall Sections					

### Project Team

<u>Building Owner</u> Buckeye Heating & Cooling 1018 Proprietors Road · Worthington, Ohio 43085	614.888.4328
<u>Architect</u> New Avenue Architects & Engineers 4740 Reed Road, Suite 201 · Upper Arlington, Ohio 43220	614.884.8888
<u>Structural Engineer</u> New Avenue Architects & Engineers 4740 Reed Road, Suite 201 · Upper Arlington, Ohio 43220	614.884.8888
<u>M.E.P. Engineer</u> VMP Engineering, Inc. 6225 Emerald Pkwy · Dublin, Ohio 43016	614.408.3862
<u>Contractor</u> The O'Leary Company, LLC 4660 County Road 23 · Cardington, Ohio 43315	567.231.6269
<u>Civil Engineer</u> CW Design Group, LLC 972 Linkfield Drive · Worthington, Ohio 43085	614.846.9279

### Site Vicinity Map

Not to Scale



Project Location

### Site Map

Not to Scale



Building Location



**NEW AVENUE**  
architects • engineers

[www.new-avenue.net](http://www.new-avenue.net)

4740 REED ROAD, SUITE 201  
UPPER ARLINGTON, OHIO 43220  
INFO@NEW-AVENUE.NET

614 . 884 . 8888

ZONING REVIEW SET

04/20/2020

Buckeye Heating & Cooling  
Office / Warehouse  
*New Pre-Engineered Building*

1018 Proprietors Road  
Worthington, Ohio 43085

Contractor:  
O'Leary Company, LLC  
4660 County Road 23  
Cardington, Ohio 43315

Project No: 20-0024

AutoCAD SHX Text

AutoCAD SHX Text

ZONING REVIEW SET  
INFORMATION

PROJECT

AutoCAD SHX Text  
COVER SHEET

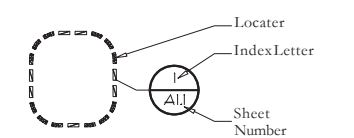
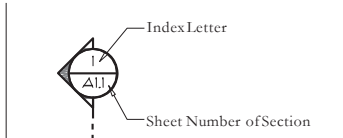
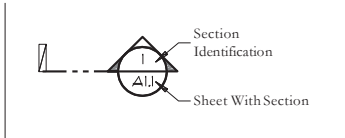
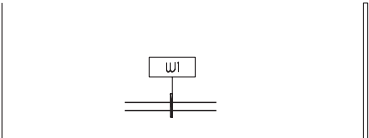
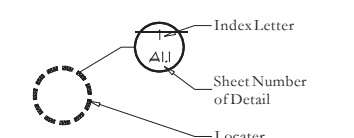
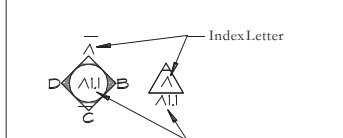


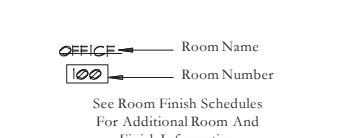
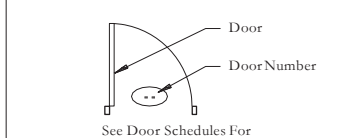
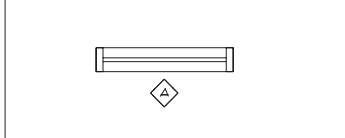


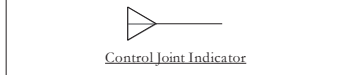

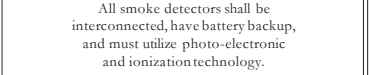


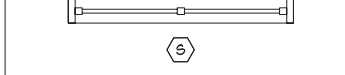

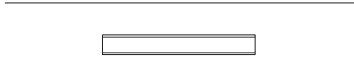
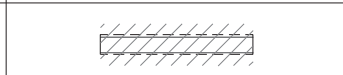
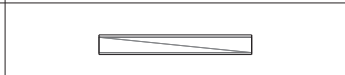
& PROJECT  
INFORMATION

AutoCAD SHX Text

04/20/2020

G0.0

Abbreviations			
AFF.	Above Finished Floor	DIA.	Diameter
ACOUS.	Acoustical Ceiling Tile	DIV.	Division
ADJ.	Adjustable	DR.	Door
AHU.	Air Handling Unit	DBL.	Double
ALT.	Alternate	DN.	Down
ALUM.	Aluminum	D.S.	Down Spout
AB.	Anchor Bolt	DWG.	Drawing
BRG.	Bearing	E.W.	Each Way
BDRM.	Bedroom	E.W.C.	Electric Water Cooler
BLK.	Blocking	ELEV.	Elevation
BLKG.	Blocking	EQUIP.	Equipment
B/C	Back of Curb	EXIST.	Existing
BD.	Board	F.F.	Fire Extinguisher
BOT.	Bottom	F.F.C.	Fire Extinguisher Cabinet
BLDG.	Building	FI UOR.	Fluorescent
CB.	Catch Basin	FI.	Floor
CLG.	Ceiling	F.D.	Floor Drain
E	Center Line	F.I.	Foot
C.O.	Clean Out	F.I.G.	Footing
C.W.	Cold Water	F.V.	Field Verify
COL.	Column	GA	Gauge
CONC.	Concrete	G.F.I.	Ground Fault Interrupter
CMU	Concrete Masonry Unit	G.S.F.	Gross Square Feet
CONT.	Continuous	GYP. BD.	Gypsum Wall Board
C.J.	Control Joint	H.C.	Handicap
COORD.	Coordinate	HT.	Height
C.M.P.	Corrugated Metal Pipe	H.P.	High Pressure Sodium
C.F.M.	Cubic Feet Per Minute	H.M.	Hollow Metal
DET.	Detail	HORIZ.	Horizontal
INSUL.	Insulation	INT.	Interior
INV.	Invert	JT.	Joint
LAM.	Laminate	L.V.L.	Laminated Veneer Lumber
LVL	Laminated Veneer Lumber	L.T.	Light
L.F.	Lineal Feet	L.F.	Lineal Feet
L.L.V.	Long Leg Vertical	L.L.H.	Long Leg Horizontal
M.H.	Manhole	MFR.	Manufacturer
M.O.	Masonry Opening	M.O.	Masonry Opening
MAX.	Maximum	MECH.	Mechanical
MTL.	Metal	MIN.	Minimum
MTD.	Mounted	N.T.S.	Not To Scale
N.S.F.	Net square feet	N.I.C.	Not In Contract
N.O.	Number	N.T.S.	Not To Scale
O.C.	On Center	NO.	Number
OFFG	Opening	O.C.	On Center
OFF.	Opposite	OFFG	Opening
O.S.B.	Oriented Strand Board	OFF.	Opposite
PR	Per Square Foot	O.S.B.	Oriented Strand Board
P.S.F.	Per Square Inch	PR	Per Square Foot
P.S.I.	Per Square Inch	P.S.F.	Per Square Foot
PL.	Plate or Property Line	P.S.I.	Per Square Inch
P. LAM.	Plastic Laminate	PL.	Plate or Property Line
PLYWD.	Plywood	P. LAM.	Plastic Laminate
P.T.	Preservative Treated	PLYWD.	Plywood
RAD.	Radius	P.T.	Preservative Treated
REQ'D.	Required	RAD.	Radius
REINF.	Reinforcing	REQ'D.	Required
RIS	Rod & Shelf	REINF.	Reinforcing
R.D.	Roof Drain	RIS	Rod & Shelf
SCHED.	Schedule	R.D.	Roof Drain
S.G.	Safety Glazing	SCHED.	Schedule
SHT.	Sheet	S.G.	Safety Glazing
SIM.	Similar	SHT.	Sheet
SPECS.	Specifications	SIM.	Similar
SQ.	Square Feet	SPECS.	Specifications
S.F.	Square Feet	SQ.	Square Feet
S.S.	Stainless Steel	S.F.	Square Feet
STD.	Standard	S.S.	Stainless Steel
STL.	Steel	STD.	Standard
THK.	Thick	STL.	Steel
T&G	Tongue & Groove	THK.	Thick
T/O	Top Of	T&G	Tongue & Groove
TYP.	Typical	T/O	Top Of
UNO.	Unless Noted Otherwise	TYP.	Typical
V.B.	Vapor Barrier	UNO.	Unless Noted Otherwise
VERT.	Vertical	V.B.	Vapor Barrier
V.T.	Vinyl Tile	VERT.	Vertical
W/	With	V.T.	Vinyl Tile
W/O	Without	W/	With
		W/O	Without

Typical Symbol Legend			
 <p>Enlarged Plan Locator Elevation Detail Locator</p>	 <p>Wall Section Locator</p>	 <p>Building Section Locator</p>	 <p>Partition Type Number</p>
 <p>Detail Locator</p>	 <p>Interior Elevation Locator</p>	 <p>Revision Number</p>	 <p>Indicates Safety Glazing Required At Hazardous Locations</p>
 <p>Room Number</p>	 <p>Door Number</p>	 <p>Window Type Indicator</p>	 <p>*Separate detectors can be installed at these locations Combination Smoke and Carbon Monoxide Detector</p>
 <p>Coded Note Indicator</p>	 <p>Control Joint Indicator</p>	 <p>Column Line Number</p>	 <p>All smoke detectors shall be interconnected, have battery backup, and must utilize photo-electronic and ionization technology.</p>
 <p>Exhaust Fan</p>	 <p>Combination Exhaust Fan and Light</p>	 <p>Storefront Type Indicator</p>	 <p>Smoke Detector</p>
 <p>Existing Wall</p>	 <p>Existing Wall to be Removed</p>	 <p>New or Reconstructed Wall</p>	

CITY OF WORTHINGTON

DRAWING NO. BZA 16-2020

DATE 04/20/2020

## General Construction Notes

- Any discrepancies in notations, dimensions, & coordination shall be brought to the attention of New Avenue, LLC prior to proceeding with construction.
- The General Contractor shall be familiar with provisions of all applicable codes and shall insure compliance of work to those codes.
- These documents do not include the necessary components for construction safety. Safety, care of adjacent properties during construction, compliance with state and federal regulations regarding safety, and compliance with requirements specified in the Owner/Contractor contract is, and shall be, the Contractor's responsibility.
- The General Contractor shall supervise and direct the work and shall be solely responsible for all construction means, methods, techniques, and safety procedures and for coordinating all portions of the work.
- If in the event of conflict between local, state, and national codes, the more stringent shall govern, and consult the Architect.
- Use of these Documents beyond the construction of this particular building, as indicated by the certified addresses, including sale of these plans to a third party for any use whatsoever, without the written permission of New Avenue, LLC of Upper Arlington, Ohio is strictly forbidden and is just cause for filing suit against the perpetrator.
- The term "Work" as used in these notes shall include all provisions as drawn or specified in these documents as provided by New Avenue, LLC.
- Where electrical, mechanical, plumbing, and sprinkler systems devices penetrate any fire rated assemblies, provide through penetration systems, annular space protection and fire stopping as required by the applicable codes. Through-penetration systems used may be selected by the installer, but in all cases the through-penetration system shall be an approved system by a qualified testing agency.
- Installation of through-penetration systems and annular space protection shall be performed by a qualified sub-contractor who has full knowledge of the applicable code requirements and complete understanding and knowledge in selecting the correct through-penetration system and annular space protection material for the conditions specific to the project.
- Through-Penetration Systems: Where cables, cable trays, conduits, tubes or pipes penetrate a floor assembly, the penetration shall be protected with an approved through-penetration protection system tested in accordance with ASTM E814. The positive pressure differential between the exposed and unexposed surfaces of the test assembly shall not be less than 0.01-inch water gage (2.5p). The system shall have an "F" rating and a "T" rating of not less than 1 hour but not less than the required fire-resistance rating of the assembly being penetrated.
- All penetrations through a ceiling which is an integral component of a fire-resistance rated floor/ceiling or roof/ceiling assembly, shall comply with notes 12, 13, 14, 15, 16 and 17 below.
- Except where permitted by notes 13, 14 and 15, penetrations for electrical, mechanical, plumbing and communication conduits, pipes and systems shall be installed in accordance with the approved ASTM E119 rated assembly. In the case of ceilings which are an integral component of a fire-resistance rated floor/ceiling or roof/ceiling assembly, all penetrations shall be installed in accordance with approved ASTM E119 rated assembly or shall not exceed an aggregate area of 100 square inches (0.065 m<sup>2</sup>) of ceiling area in assemblies tested without penetrations. **Exception:** outlet boxes and fittings are permitted, provided that such devices are listed for use in fire-resistance rated assemblies and are installed in accordance with the listing.
- Noncombustible Penetrations:
  - Penetrations by noncombustible vents, chimneys, conduits, pipes and tubes through a fire-resistance rated floor assembly which connect not more than two stories are permitted.
  - Penetrations by noncombustible conduit, pipe and tubes through a fire-resistance rated floor assembly which connect more than two stories are permitted, provided that the aggregate area of the penetrating items shall not exceed 1 square foot (0.09 m<sup>2</sup>) in any 100 square feet (9.3 m<sup>2</sup>) of floor area.
  - In all cases, the annular space between the penetrating item and the assembly shall be protected in accordance with note 20. rated assembly.
- Air Ducts:
  - Penetrations by an air duct through a fire-resistance rated floor/ceiling assembly which connect not more than two stories are permitted where an approved fire damper is installed at the floor line.
  - Where a noncombustible air product penetrates a ceiling which is an integral component of a fire-resistance rated floor/ceiling or roof/ceiling assembly, approved ceiling damper shall be installed at the ceiling line except where fire tests show that the integrity of the fire-resistance rated assembly is maintained without a ceiling damper. Ceiling dampers shall be constructed in accordance with the details listed in a fire-resistance rated design or shall be labeled to function as a heat barrier for air-handling outlet/inlet penetrations in the ceiling of a fire-resistance rated assembly.
- Ceiling Penetrations: Openings to accommodate noncombustible conduits, pipes, tubes or electrical outlets in a ceiling membrane which is an integral component of a fire-resistance rated floor assembly, shall be firestopped with noncombustible materials or the annular space around the penetrating element shall be protected in accordance with note 20 or with a through-penetration system in accordance with notes 10 and 11.
- Non Fire-Resistance Rated Assemblies: Penetrations of floor assemblies without a required fire-resistance rating shall conform to notes 18, 19 and 20. All penetrations through the ceiling membrane of a roof assembly without a required fire-resistance rating shall be firestopped with noncombustible materials.
- Noncombustible Penetrations: Penetrations by noncombustible vents, chimneys, conduits, pipes and tubes through unprotected floor assemblies which connect not more than three stories are permitted provided that the annular spaces between the penetrating item and the floor is firestopped with noncombustible materials.
- Air Ducts: Penetrations by noncombustible air ducts through unprotected floor assemblies which connect not more than three stories are permitted provided that an approved fire damper is installed at each floor line or the air duct is contained in a rated shaft.
- Noncombustible or Combustible Penetrations: Penetrations by vents, chimneys, cables, wires, air ducts, conduits, pipes and tubes through an unprotected floor assembly which connect not more than two stories are permitted provided that the annular space is firestopped with noncombustible materials.
- Annular Space Protection: The annular space between the penetrating item and the fire-resistance rated assembly being penetrated shall be protected as follows:
  - Material: The material used to fit the annular space shall prevent the passage of flame and hot gasses sufficient to ignite cotton waste when subjected to the time-temperature fire conditions of ASTM E119 under a minimum positive pressure differential of 0.01 inch of water column (2.5 p) at the location of the penetration for the time period equivalent to the required fire-resistance rating of the assembly penetrated.
  - Sleeves: Where sleeves are used, the sleeves shall be noncombustible and shall be securely fastened to the assembly penetrated. All space between the item contained in the sleeve and the sleeve itself and any space between the sleeve and the assembly penetrated shall be filled with a material that complies with note 13a.
  - Installation: Insulation and coverings on the penetrating item shall not pass through the assembly unless these materials maintain the required fire-resistance rating of the assembly.
- Drawings shall not be scaled. All questions with respect to the contract documents shall be directed to the Architect for making interpretations on all items of discrepancy or of an ambiguous nature.
- Dimensions at exterior walls are to the outside of exterior sheathing. Dimensions at interior walls are to face of stud, unless noted otherwise.
- Bearing walls are as indicated on the structural drawings.
- Insulation: On walls between units, provide insulation behind all outlets, plumbing stacks and water supply lines.
- Insulation that is exposed to rooms, attics or crawl spaces shall have a flame spread rating of 25 or less and a smoke developed rating of 450 or less.
- Insulation in concealed spaces shall have a flame spread rating of 25 or less and a smoke developed rating of 450 or less. Insulation facing is not required to have a flame spread rating if it is in a concealed space and the facing is in contact with a wall or ceiling.
- All foam plastic insulation shall be protected in accordance with the Building Code.
- Blocking: Provide solid blocking behind all handrails, grab bars, wall cabinets, wall hung sinks, shelves, rods and accessories.
- Where backer rods are required, provide a backer rod that is 1 1/2 times larger than the opening that it is being placed into.

AutoCAD SHX Text

AMBIGUOUS. ADJ. AHU. A  
ALUM. A.B. BRG. BDRM. BLK.  
BLKG. B/C BD. BOT. BLDG.  
C.B. CLG. C.O. C.W. COL.  
CONC. CBU CONT. C.J.  
COORD. C.M.P. C.F.M. DET.  
DIA. DIV. DR. DBL. DN. D.S.  
DWG. E.W. E.W.C. ELEV.  
EQUIP. EXIST. F.E. F.E.C.  
FLUOR. F.D. FT. FTG. F.V.  
GA. G.F.I. G.S.F. GYP. BD. H.C.  
HT. H.P. H.M. HORIZ. INSUL.  
L.L.V. L.L.H. L.T. L.F.  
LL.V. LL.H. MH. MFR. M.O.  
MAX. MECH. MTL. MIN. MTD.  
N.S.F. N.I.C. N.T.S. NO. O.C.  
OFFG. OFF. O.S.B. PR. P.S.F.  
P.S.I. PL. P. LAM. PLYWD. P.T.  
RAD. REQ'D. REINF. R&S R.D.  
SCHED. S.G. SHT. SIM.  
SPECS. SQ. SIF. SIS. STD.  
STL. THK. T&G T/TYP. U.N.O.  
V.B. VERT. V.T. W/W/O  
014 . 884 . 8888

ZONING REVIEW SET

04/20/2020

Buckeye Heating & Cooling  
Office / Warehouse  
New Pre-Engineered Building  
1018 Proprietors Road  
Worthington, Ohio 43085

Contractor:  
O'Leary Company, LLC  
4660 County Road 23  
Cardington, Ohio 43315

Project No: 20.0024

AutoCAD SHX Text

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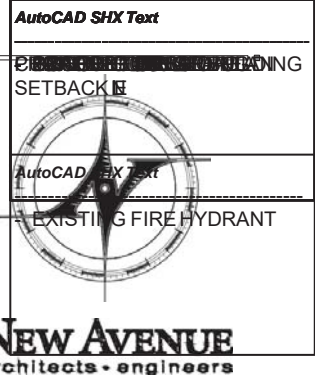
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AutoCAD SHX Text

AutoCAD SHX Text



DATE 04/20/2020



4740 REED ROAD, SUITE 201  
UPPER ARLINGTON, OHIO 43220  
INFO@NEW-AVENUE.NET

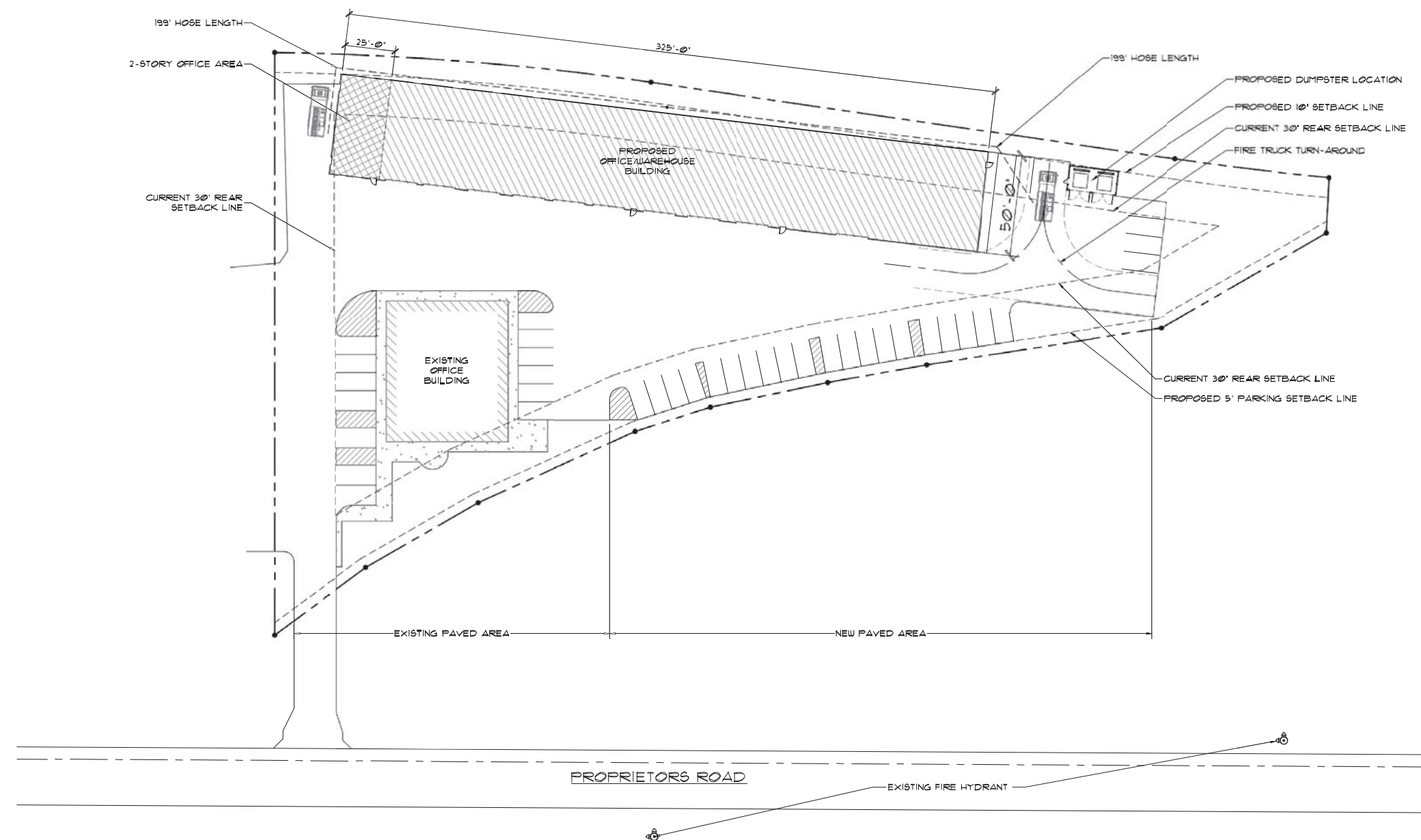
ZONING REVIEW SET  
04/20/2020

- 199' HOSE LENGTH
--------------------

PROPOSED 35' PARKING LINE  
SETBACK

New Pre-Engineered Building  
 2100 SENECA DRIVE  
 SENECA, OHIO 43085  
 Worthington, Ohio 43085

Contractor:  
O'Leary Company, LLC  
4660 County Road 23  
Cardington, Ohio 43315



SCALE: 1" = 30'-0"



Project No: 20-0024

AutoCAD SHX Text

- SITEPLAN

ARCHITECTURAL  
SITE PLAN

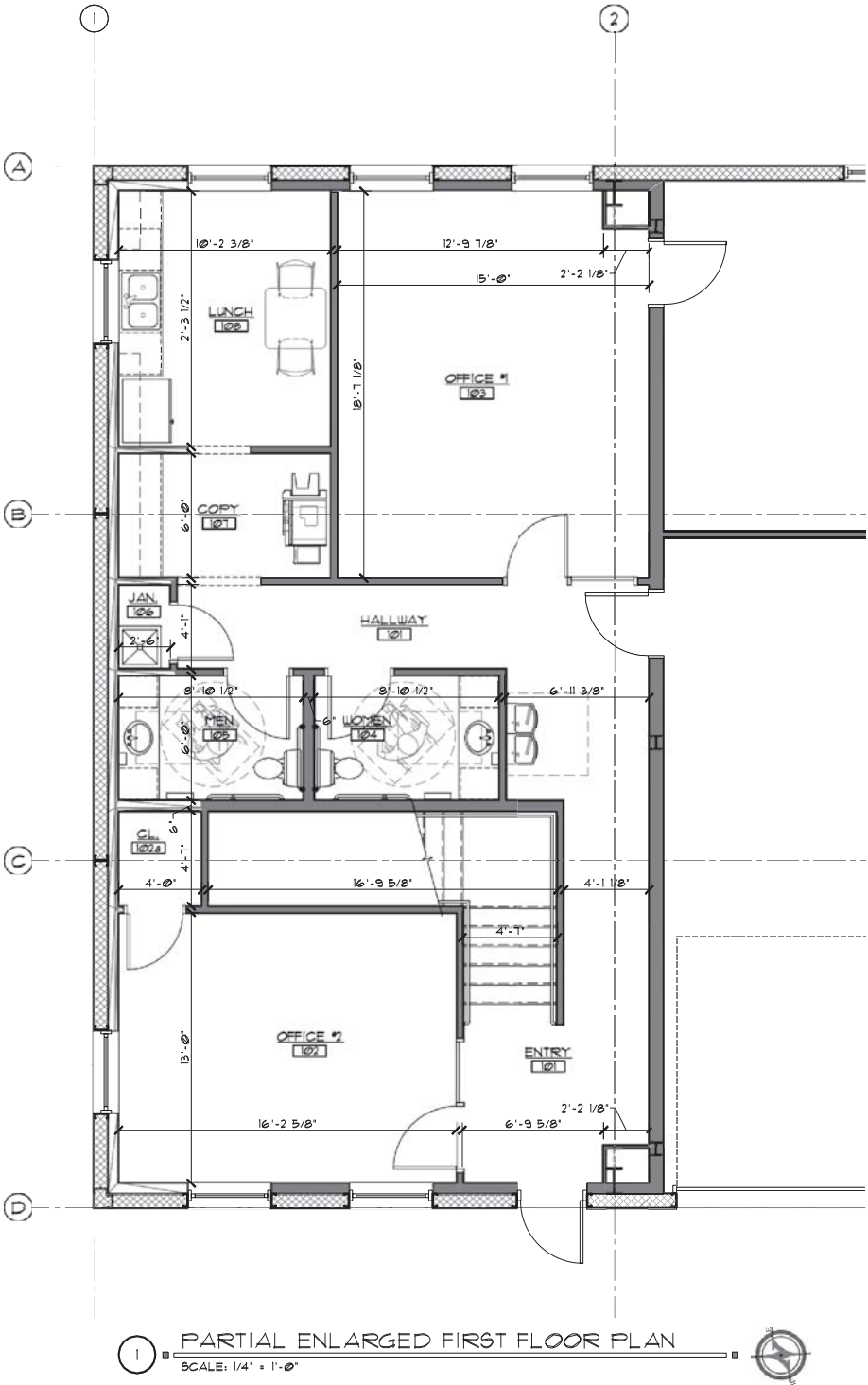
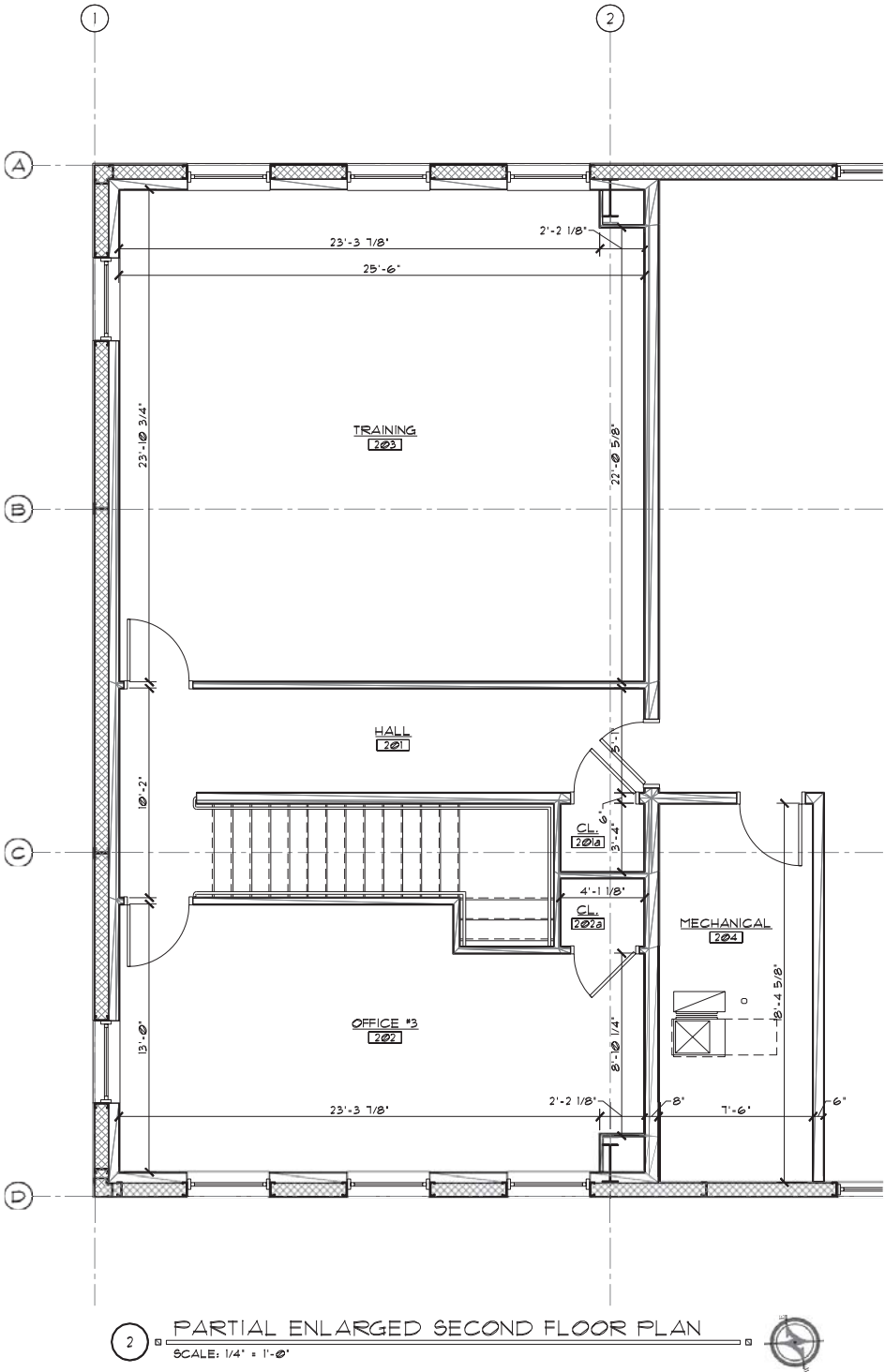
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## SP1.1





CITY OF WORTHINGTON  
DRAWING NO. BZA 16-2020  
DATE 04/20/2020



AutoCAD SHX Text  
PARTIAL ENLARGED SECOND FLOOR PLAN  
AutoCAD SHX Text  
102a  
AutoCAD SHX Text  
PARTIAL ENLARGED FIRST FLOOR PLAN  
AutoCAD SHX Text  
108  
New Avenue  
architects & engineers  
AutoCAD SHX Text  
www.new-avenue.net  
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102  
AutoCAD SHX Text  
4740  
AutoCAD SHX Text  
UPPER  
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IN  
AutoCAD SHX Text  
- 001 . 884 . 8888  
AutoCAD SHX Text  
ZONING REVIEW SET  
AutoCAD SHX Text  
04/20/2020  
AutoCAD SHX Text  
Office #1  
- 103  
AutoCAD SHX Text  
AutoCAD SHX Text  
- ENTRY  
- 101  
AutoCAD SHX Text  
Buckeye Heating & Cooling  
Office / Warehouse  
New Pre-Engineered Building  
1018 Proprietos Road  
Worthington, Ohio 43085  
Contractor:  
O'Leary Company, LLC  
4660 County Road 23  
Cardington, Ohio 43315  
Project No: 20-0024  
AutoCAD SHX Text  
PARTIAL ENLARGED  
ZONING REVIEW SET  
FLOOR PLANS  
PARTIAL ENLARGED  
FLOOR PLANS  
AutoCAD SHX Text  
04/20/2020  
A2.1

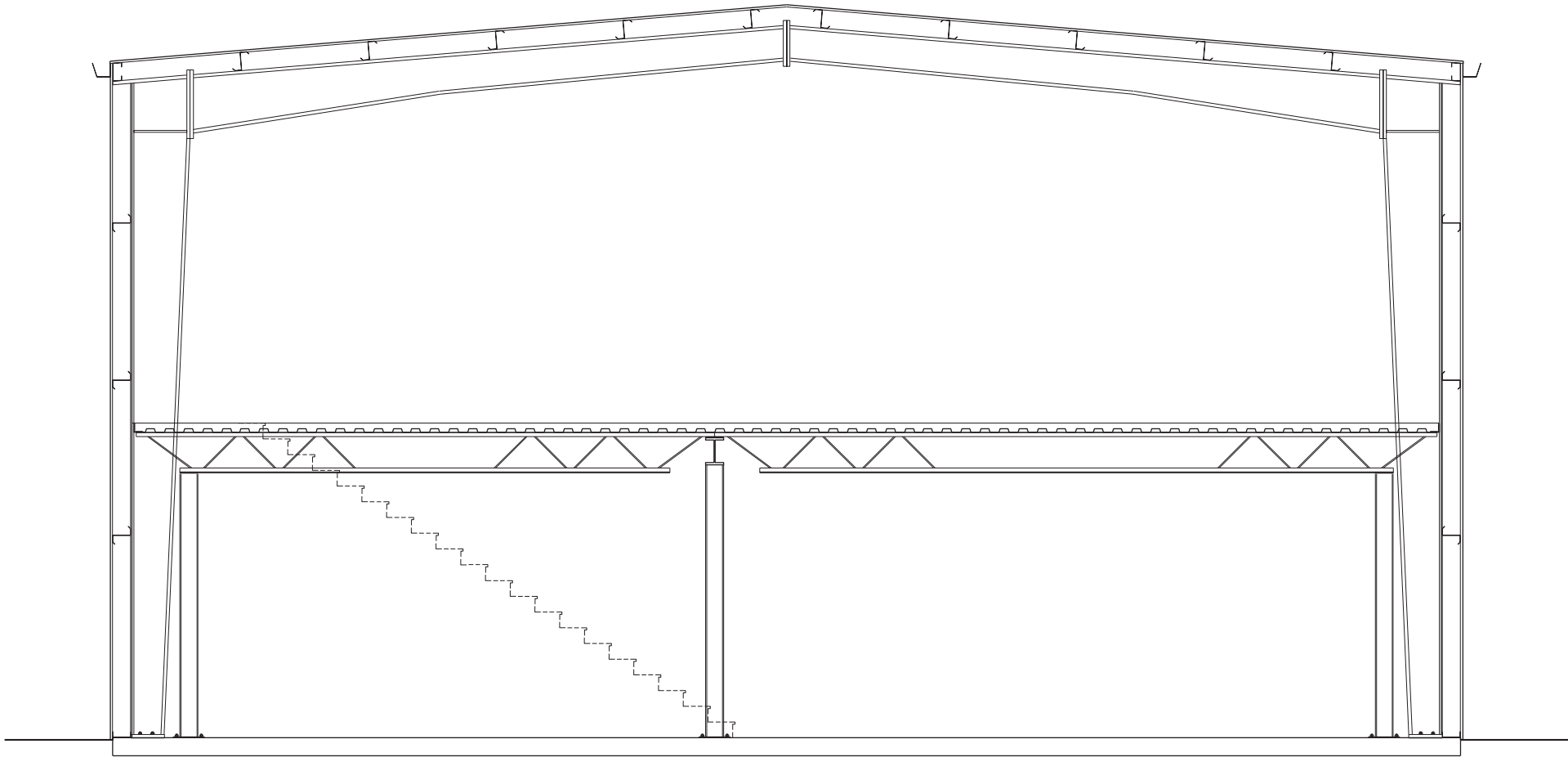




CITY OF WORTHINGTON

DRAWING NO. BZA 16-2020

DATE 04/20/2020



**A** BUILDING SECTION  
SCALE: 3/8" = 1'-0"

AutoCAD SHX Text

BUILDING SECTION



**New AVENUE**  
architects - engineers

[www.new-avenue.net](http://www.new-avenue.net)

4740 REED ROAD, SUITE 201  
UPPER ARLINGTON, OHIO 43220  
INFO@NEW-AVENUE.NET

614 . 884 . 8888

ZONING REVIEW SET

04/20/2020

Buckeye Heating & Cooling  
Office / Warehouse  
*New Pre-Engineered Building*  
1018 Proprietos Road  
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Contractor:  
O'Leary Company, LLC  
4660 County Road 23  
Cardington, Ohio 43315

Project No:

20-0024

AutoCAD SHX Text

ZONING REVIEW SET

AutoCAD SHX Text

BUILDING SECTION

BUILDING  
SECTIONS

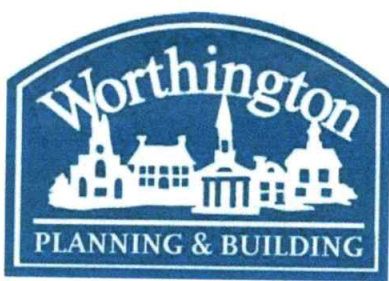
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04/20/2020

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**A6.1**





# City of Worthington

## BOARD OF ZONING APPEALS

### APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 17-2020
Date Received	05-08-2020
Fee	\$25
Meeting Date	06-04-2020
Filing Deadline	05-08-2020

1. Property Location 661 Seabury Dr. Worthington, OH 43085
2. Present/Proposed Use \_\_\_\_\_
3. Zoning District R
4. Applicant Famiglia Homes  
Address 1105 Beechview Dr. S. Worthington, OH 43085  
Phone Number(s) 614-974-8231  
Email cs@famigliahomes.com
5. Property Owner Michael and Danielle Piche  
Address 661 Seabury Dr. Worthington OH 43085  
Phone Number(s) \_\_\_\_\_  
Email \_\_\_\_\_
6. Action Requested (ie. type of variance) Setback
7. Project Details:
  - a) Description intsall of new front porch
  - b) Expected Completion Date July 2020
  - c) Approximate Cost 25,000

**PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:**

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

Alicia McCreene  
Applicant (Signature)

5/8/20  
Date

Dan Piche  
Property Owner (Signature)

\_\_\_\_\_  
Date

ABUTTING PROPERTY OWNERS  
FOR  
661 Seabury Dr

Petr Hradecky	357 W. Dublin-Granville Rd.	Worthington, OH 43085
Ronald Ryback	668 Seabury Dr.	Worthington, OH 43085
John and Jodi Lindner	660 Seabury Dr.	Worthington, OH 43085
Jianming Xia	663 Seabury Dr.	Worthington, OH 43085
Qian Mo		
Worthington Board of Education	200 E. Wilson Bridge Rd.	Worthington, OH 43085

May 7, 2020

To Whom It May Concern,

My name is Alainna Greene and I am with Famiglia Homes LLC. We are working with the Piche's on their covered front porch remodel. They are looking to have their current flower beds removed to make way for a new large front porch.

Here is a brief description of the project. We will be digging a footer and doing block for 3 walls (the front, right and left side of the porch) we will paint to match the current home where exposed, that we will pin into the current foundation. Then pour a standard concrete (not stamped or colored) top for the front porch that will have flower beds along the front of the new porch. There will be 2 steps off the front to the service walk and 3 steps off the side to the driveway. We will be adding 4 beams that we will be painting white to hold up the new asphalt shingle roof with a peak in the center over the front door. We will be adding white vinyl board and batten siding to the front peak and the 2 end gables of the roof. We will be adding new gutters to the front porch that will drain away from the home towards the street. We believe this adds a little character to the home but also is inline with other homes in the area.

For us to build the new front porch for the Piche's we would be asking for a 13' set back variance from the north side of the porch/home (Dublin Grandville side) and a 1' set back on the South East corner (Seabury Dr side closest to the driveway). The new porch would be 4' inside of the north corner of the home and is only one story tall with a roof. All flower beds would be at ground level so no new obstructions will be added to the north corner of Dublin Grandville Rd.

Please let us know if you have any other questions

Thank you,

Alainna Greene

Famiglia Homes

614-974-8231

CITY OF WORTHINGTON

DRAWING NO.BZA 17-2020

DATE 05/08/2020

# 661 Seabury Dr.

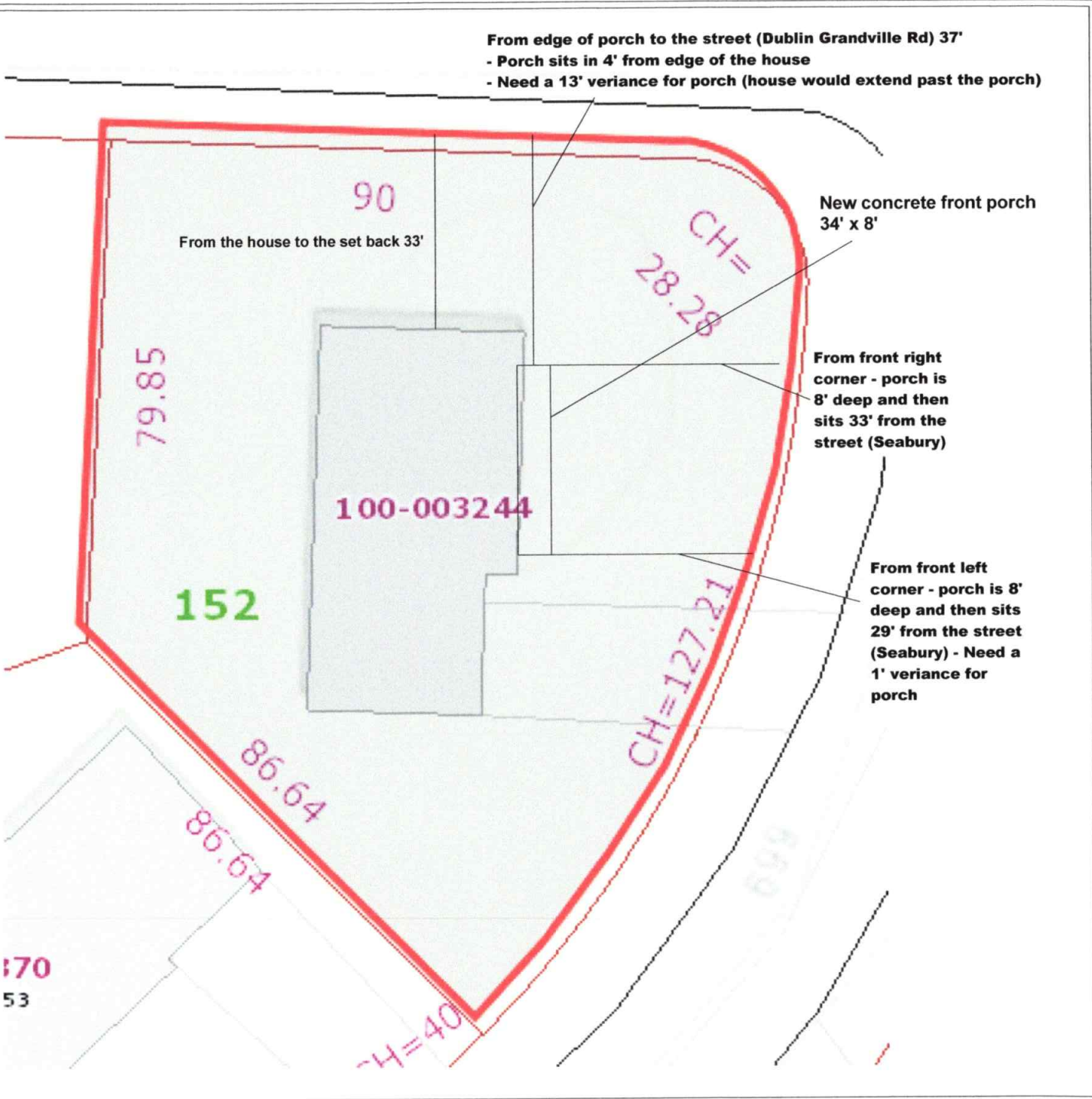




CITY OF WORTHINGTON

DRAWING NO. BZA 17-2020

DATE 05/08/2020

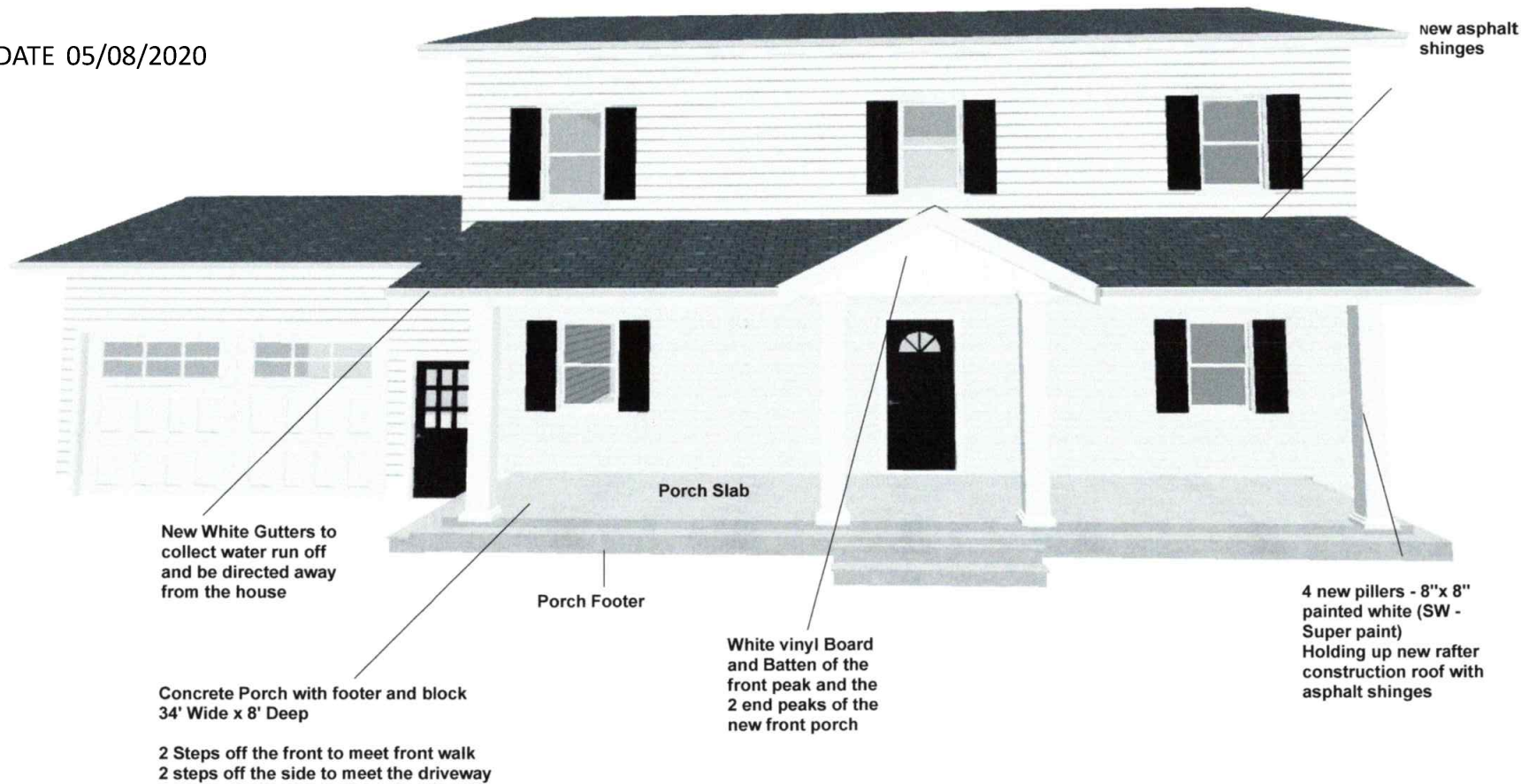


NO.		DESCRIPTION		BY	DATE
SHEET TITLE: Site Plan					
PROJECT DESCRIPTION: 661 Seabury					
DRAWINGS PROVIDED BY: Famiglia Homes					
DATE:					
SCALE:					
SHEET:					

CITY OF WORTHINGTON

DRAWING NO. BZA 17-2020

DATE 05/08/2020



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
Porch Materials Specs

PROJECT DESCRIPTION:  
661 Seabury

DRAWINGS PROVIDED BY:  
Famiglia Homes

DATE:

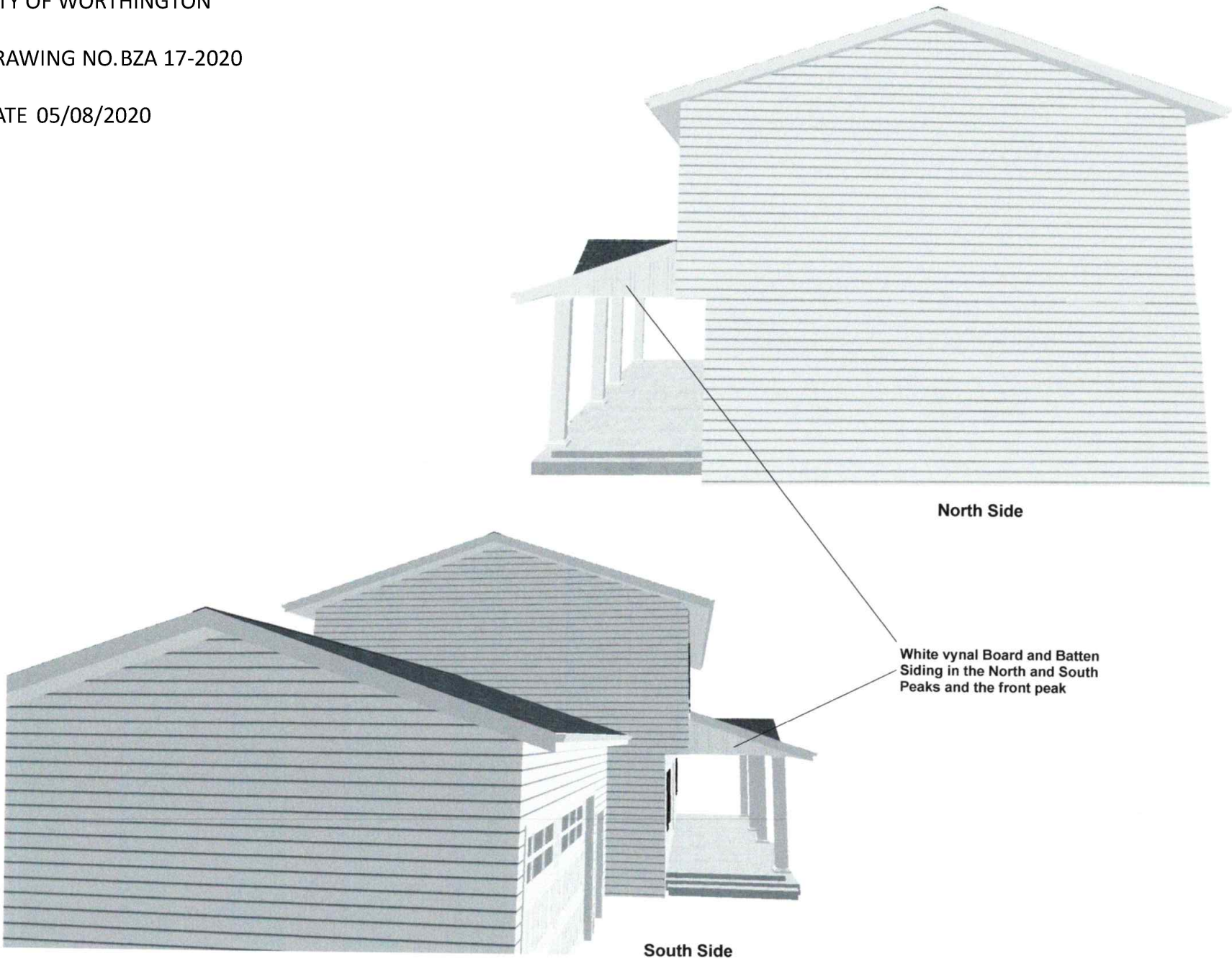
SCALE:

SHEET:

CITY OF WORTHINGTON

DRAWING NO. BZA 17-2020

DATE 05/08/2020



North Side

South Side

White vynal Board and Batten  
Siding in the North and South  
Peaks and the front peak

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:	
Side Views	

PROJECT DESCRIPTION:
661 Seabury

DRAWINGS PROVIDED BY:
Famiglia Homes

DATE:

SCALE:

SHEET: