



**BOARD OF ZONING APPEALS
-AGENDA-
Thursday, August 6, 2020 at 7:00 P.M.**

**This will be a virtual meeting that will be streamed on the internet:
worthington.org/live**

A. Call to Order - 7:00 pm

1. Roll Call
2. Oath of Office – Garrett Guillezet
3. Approval of minutes of the July 2, 2020 meeting

B. Items of Public Hearing – New Business

1. **Variance** – Setback from Alley – Fence – **5709 Foster Ave.** (Patricia Hosking)
BZA 27-2020
2. **Variance** – Side Yard Setback – Addition – **243 Franklin Ave.** (Ted and Christy Walsh)
BZA 28-2020
3. **Variance** - Setback from Alley – Fence – **5704 Foster Ave.** (A:Z Contracting LLC/
Narayanabhata) **BZA 29-2020**
4. **Variance** – Front Yard Setback – Portico – **6877 Hayhurst St.** (Trevor Long) **BZA 30-2020**
5. **Variance** – Front Yard Setback – Single Family Dwelling – **285 McCoy Ave.** (JBAD
Architects/Carpenter & Blanchard) **BZA 31-2020**

C. Other

D. Adjournment



MEMORANDUM

TO: Members of the Board of Zoning Appeals

FROM: R. Lee Brown, Director of Planning and Building
Lynda Bitar, Planning Coordinator

DATE: July 30, 2020

SUBJECT: Staff Memo for the Meeting of August 6, 2020

Items of Public Hearing – New Business

1. **Variance** – Setback from Alley – Fence – **5709 Foster Ave.** (Patricia Hosking) **BZA 27-2020**

Findings of Fact & Conclusions

Background:

This 8,100 square foot property is an existing lot of record in the R-10 (Low Density Residential) Zoning District in the Colonial Hills neighborhood. The property abuts an improved alleyway that runs parallel to Foster Ave. The 16' wide alleyway provides access to a home on Lake Ridge Rd. and provides access to three houses on Foster Ave and one house on Loveman Ave. The property owner has an existing driveway on Foster Ave. that runs along the northern side of the house to access their garage and alleyway at the rear of the property.

There is an existing 4' high chain link that fences in the applicant's rear yard. The fence is currently located along the existing alleyway. City staff was unable to find a permit or previous approval for the fence in this location. The applicant would like to install a new 4' high wood picket fence in the same location. The purpose of the fence is to replace an existing chain link fence that has reached its end of life.

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 1180.02(a) states "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".

Request:

The applicant is requesting to replace the existing chain link fence with a 4' high wood picket fence within the required front yard from a public (alley) right-of-way. A variance of 30 is required.

Conclusions:

Although the fence is located in the setback from a public right-of-way, the alleyway is only used by five properties. The replacement fence should not impact the existing residents who use this alleyway as access. These factors can mitigate the substantial nature of this variance request.

The essential character of the neighborhood should not be substantially altered as other neighboring properties also have similar fences that abut the public right-of-way along this 16' wide alleyway.

Only a small portion of the existing fence and proposed new fence are located in the setback. The majority of the rear of the lot does not have a fence, it is only in the area immediately behind the existing garage.

The delivery of governmental services should not be impacted as a result of the request.

Motion:

THAT THE REQUEST BY PATRICIA HOSKING FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A FENCE TO BE LOCATED IN THE REQUIRED FRONT YARD AT 5709 FOSTER AVE., AS PER CASE NO. BZA 27-2020, DRAWINGS NO. BZA 27-2020 DATED JUNE 15, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

2. **Variance – Side Yard Setback – Addition – 243 Franklin Ave. (Ted and Christy Walsh)**
BZA 28-2020

Findings of Fact & Conclusions**Background:**

This 10,000 square foot property is an existing lot of record in the R-10 (Low Density Residential) Zoning District. The home is approximately 2,130 sq. ft. in size and was constructed in 1980. The surrounding properties are also single-family dwellings in the R-10 Zoning District.

The applicant is proposing to expand the kitchen, dining and laundry room 6-feet to the east to be 5-feet from the eastern property line and to expand the second floor above this area in addition to expanding over the existing 2-car garage to add an additional bedroom, bath and expand the master bedroom, bathroom and closet. The proposed addition is approximately 868± sq. ft. in size. The existing footprint of the garage is 3-feet from the eastern property line. The addition would be in the required side yard setback.

The applicant is requesting this addition to increase their existing living space.

Worthington Codified Ordinances:

Section 1149.01 states that the minimum yard, area and maximum height requirements for dwellings and structures accessory to dwellings have a side yard setback of 8-feet for a sum of side yards of 20-feet.

Request:

The applicant is requesting to construct an addition in the required side yard. The addition is proposed to be 5-feet from the property line; a variance of 3-feet is required. However, the application states that the additional will be 4-feet from the property line.

- Clarification needed.

The existing garage is constructed 3-feet from the property line and the addition over the garage will follow the existing footprint of the garage; a variance of 5-feet is required.

Conclusions:

The essential character of the neighborhood should not be substantially altered. The existing footprint of the house will largely remain the same from Franklin Ave. and increase along the side of the house behind the existing 2-car garage.

At the time Roxbury Village was platted in the late 1970's it included variances for side yard setbacks that was approved by City Council as part of the subdivision process. The reduced setbacks were associated with the plans for the new homes to be constructed as part of the overall development.

Elevations were not submitted with the application; elevations would help determine the severity of the encroachment related to the massing along the side yard setback.

- The Board typically reviews the elevations as it relates to the massing of an addition that is requesting to deviate from the setback as outlined in the Planning & Zoning Code.
 - Clarification needed.

The delivery of government services should not be affected.

If the Board feels that the above items have been addressed, the motion below would be appropriate.

Motion:

THAT THE REQUEST BY TED AND CHRISTY WALSH FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR AN ADDITION TO BE CONSTRUCTED IN THE REQUIRED SIDE YARD AT 243 FRANKLIN AVE., AS PER CASE NO. BZA 28-2020, DRAWINGS NO. BZA 28-2020 DATED JULY 6, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

3. **Variance** - Setback from Alley – Fence – **5704 Foster Ave.** (A:Z Contracting LLC/ Narayanabhattacha) **BZA 29-2020**

Findings of Fact & Conclusions

Background:

This 7,650 square foot property is an existing lot of record in the R-10 (Low Density Residential) Zoning District in the Colonial Hills neighborhood. The property abuts an improved alleyway that runs parallel to Foster Ave. between Loveman Ave. and Park Blvd. The 16' wide alleyway provides access to two homes on Foster Ave., one home on Loveman Ave. and one home on Park Blvd. It does not appear that the applicant utilizes the existing alleyway. The property owner has an existing driveway on Foster Ave.

There was an existing 4' high chain link that fenced in the applicant's rear yard that was replaced by the contractor in June 2020 with a new 4' high chain link fence. The old fence and new fence are located along the existing alleyway. City staff was unable to find a permit or previous approval for the fence in this location. The applicant would like approval to leave the new 4' high chain link fence in the same location. The purpose of the new fence was to replace an existing chain link fence that has reached its end of life.

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 1180.02(a) states "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".

Request:

The applicant is requesting to retain the 4' high chain link fence within the required front yard from a public (alley) right-of-way. A variance of 30 is required.

Conclusions:

Although the fence is located in the setback from a public right-of-way, the alleyway is only used by four properties. The replacement fence should not impact the existing residents who use this alleyway as access. These factors can mitigate the substantial nature of this variance request.

The contractor and the homeowner were unaware of the setback from the alley abutting their property at the time of the fence installation, however this would have been caught if the contractor would have applied for a Fence Permit. The contractor believed the property to be located in the City of Columbus.

The essential character of the neighborhood should not be substantially altered as other neighboring properties also have similar fences that abut the public right-of-way along this 16' wide alleyway and the fact that the previous fence was in the same location for decades.

The delivery of governmental services should not be impacted as a result of the request.

Motion:

THAT THE REQUEST BY PATRICIA NARAYANABHATTA FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A FENCE TO BE LOCATED IN THE REQUIRED FRONT YARD AT 5704 FOSTER AVE., AS PER CASE NO. BZA 27-2020, DRAWINGS NO. BZA 27-2020 DATED JUNE 15, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

4. Variance – Front Yard Setback – Portico – 6877 Hayhurst St. (Trevor Long) BZA 30-2020

Background:

This 10,019 square foot property is an existing lot of record in the R-10 (Low Density Residential) Zoning District in the Worthington Estates neighborhood.

The applicant is proposing a new 10' x 4.3' foot concrete porch with a roof that will encroach into the required front yard.

There is an existing brick stoop and sidewalk in this area already. The applicant is requesting this variance to add a covered 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.

Request:

The applicant is requesting to construct a porch in the required front yard. The porch is proposed to be 26 feet from Hayhurst St.; a variance of 4 feet is required.

Conclusions:

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 TREVOR LONG FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A PORCH TO BE IN THE REQUIRED FRONT YARD AT 6877 HAYHURST ST., AS PER CASE NO. BZA 30-2020, DRAWINGS NO. BZA 30-2020 DATED JULY 10, 2020, BE APPROVED, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND/OR PRESENTED AT THE MEETING.

5. **Variance** – Front Yard Setback – Single Family Dwelling – **285 McCoy Ave.** (JBAD Architects/Carpenter & Blanchard) **BZA 31-2020**

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District. The surrounding properties are also single-family homes in the R-10 District. The lot is 90 feet in width and 163 feet in length for a total of 14,670 square feet in the Morris Addition. The lot is heavily wooded with a prominent slope south towards Rush Creek.

The applicant is proposing to construct a new single-family dwelling. The proposed attached garage drive court with retaining walls and screening walls would be located in the front yard setback.

The proposed garage would be 5-feet 6-inches from the public right-of-way. The existing public right-of-way extends approximately 8-feet south of the edge of pavement for McCoy Ave. The placement of the garage and retaining walls would be approximately 13-feet 6-inches from the edge of the pavement.

The applicant is requesting this location due to the sloping grade and vegetation in the rear yard and states the reduced setback is necessary to have level ground for the garage to be built.

Property History:

The original house was constructed in 1962 and was located 30-feet from the public right-of-way. There was an existing carport that was located in the front setback at the edge of the public right-of-way. The Board approved the reconstruction of the original carport in 2004 that was located at the edge of the public right-of-way. The existing house was demolished in 2015 and a new home started construction in late 2015, however in early 2016 the foundation walls collapsed when the contractor was backfilling dirt against the foundation. Throughout 2016 the house sat until it was ultimately demolished by the previous property owner.

Worthington Codified Ordinances:

Section 1149.01 requires all dwellings and structures accessory to the dwelling be at least 30 feet from the right-of-way line in the R-10 District.

Section 1180.02(a) states “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”.

Request:

The applicant is requesting the structure, retaining walls and screening to be 5-feet 6-inches from the existing public right-of-way. A variance of 24-feet 6-inches is required.

Conclusions:

The main portion of the proposed new home will be located approximately 34-feet back outside the public right-of-way. The proposed garage, drive court with retaining walls and screening walls

would be located entirely in the front setback. The main portion of the home we be at a similar setback as the previous structure and the surrounding homes along McCoy, however the garage, drive court retaining walls and screening walls will encroach into the front setback. The garage height and retaining walls for the drive court appear to be approximately 3-feet in height along the roadway and gradually increases as the property slopes to the south and to the east.

Staff is supportive of the request for the placement of the garage and retaining walls to encroach in the front setback, however we do not understand the need for the screening walls around the drive court.

- The Board should discuss the proposed screening walls being in the front setback.

Detailed elevations were not submitted with the application; elevations might help determine the severity of the encroachment into the front setback.

On August 1, 2019, the Board approved a variance at the neighboring property at 283 McCoy Ave. for the construction of a new home with a garage that would be located at 19'feet 6" from the public right-of-way. The main portion of the home was located outside of the front 30-foot setback.

The essential character of the neighborhood might be substantially altered. The proposed garage and retaining walls might not alter the character of the neighborhood, however the screening walls surrounding the drive court might create a compound look and feel.

- The Board should discuss the proposed screening walls being in the front setback.

The previous carport was at the edge of the public right-of-way; however, it did have existing vegetation that helped buffer/screen the carport.

- A landscape plan may help soften the encroachment into the front setback.

Protecting the steep slope, wooded area, and the integrity of Rush Run to the south of the lot is extremely important.

The delivery of government services should not be affected.

If the Board feels that the above items have been addressed, the motion below would be appropriate.

Motion:

THAT THE REQUEST BY ERIC THOMPSON WITH JBAD ARCHITECTS ON BEHALF OF CRAIG CARPENTER AND KATE BLANCHARD FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A NEW SINGLE FAMILY DWELLING, RETAINING WALLS AND SCREENING WALLS TO BE LOCATED IN THE FRONT YARD SETBACK AT 285 McCOY AVE. AS PER CASE BZA 31-2020, DRAWINGS NO. BZA 31-2020 DATED JULY 10, 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

July 2, 2020

A. Call to Order – 7:00 p.m.

1. Roll Call - the following members were present: Cynthia Crane, Chair; D.J. Falcoski – Vice-Chair; Brian Seitz, and Mikel Coulter. Leah Reibel resigned from the Board and did not attend the meeting. Also present were Lee Brown, Director of Planning and Building; Lynda Bitar, Development Coordinator; and Laney Nofer, Planning and Building Assistant.

2. Approval of Minutes of the June 4, 2020 meeting

Mr. Coulter moved to approve the minutes, and Mr. Falcoski 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 Business

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

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

Findings of Fact

Mr. Brown reviewed the following from the staff memo:

Background:

This property is in the I-1 (Restricted Light Industrial) Zoning District and abuts the Norfolk Railroad right-of-way. 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. By default, the Code 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 250 feet in length on the first floor and 27 feet in length by 50 feet wide for a total of 13,850 square feet. The previously proposed size was a total of 24,083 square feet. The northern section of the building will be 2 stories, or approximately 27 feet 2 inches in height. The I-1 District permits buildings to be a maximum height of 3-stories and a maximum height of 45-feet. With the 30-foot setback requirement, the building would encroach on the east property line, which is the rear setback.

The applicant reduced the length of the previously proposed building by 75 feet. This allows for more parking to meet Code requirements; the proposal now states 71 spaces will be provided, where previously 39 spaces were proposed. Code only requires 58 spaces, so they are over the required amount. See code requirements below:

Section 1171.01

Administrative and business office	1 for each 250 square feet of gross floor area.
Warehouse	1 for each 1,000 square feet of gross floor area.

Worthington Codified Ordinances:

Section 1149.03 states, “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. The building is proposed to be 10 feet from the rear yard property line; a variance of 20 feet is required for the northern lot line.

Conclusions:

Although the variance request is substantial, the eastern property line abuts a railroad right-of-way; 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.

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

Discussion:

Mr. Brown swore in the applicant, Mr. Michael Maistros, 1018 Proprietors Rd., Worthington, Ohio. Mr. Maistros said he would like to clarify a few things. He said the larger delivery trucks would be visiting approximately twice each month, and that they reduced the length of the building by 75 feet and added a significant amount of parking. They also moved the dumpsters closer to the front instead of the back of the property to reduce some traffic flow through the area. Mr. Maistros said he showed a general location for a proposed fire hydrant. He said the owner of the building has every intention of following the required Codes, whether the EPA standards, or the storm water runoff. The building will be sprinkled so they will be pulling a new water line. Mr. Maistros said they would be bringing in new services that will help this site and address the water runoff concerns of the neighboring property. Board members had no other questions or concerns. Ms. Crane asked Mrs. Bitar if there were any additional comments by email or by telephone from the public. Mrs. Bitar said there were some comments from the Railway Museum and their concerns about the easement going through there. They said there is a dispute as to whether there is an ingress and egress agreement, or a utility easement, and the concern that water and sewer would not be allowed in that location. Mrs. Bitar confirmed the Board members had already received that letter.

Mr. Brown swore in the speaker representing Mac Construction, Mr. Walt McHenry, said they own the building next door to the proposed building. Mr. McHenry said he was looking at the revised site plan and said it calls for 58 spaces, 18 spaces for the new business, 12 spaces for the new warehouse, for a total of 88 spaces, and there are 71 spaces provided. Mr. McHenry said he wanted to know how the parking could go down to 58 spaces. Mr. Brown explained the applicant's information was incorrect, and the information in the staff's Memo was correct. They had the wrong calculations for offices, which is one space per 250 feet, and the applicant's information listed the space as one per 150 feet and that was the discrepancy. Mr. McHenry said he was concerned about the empty space at the end of the warehouse and whether it would require more parking space if the area is turned into an office. Mr. Brown explained the applicant would need to come back to the Board if additional parking was needed. Mr. McHenry said there was no easement that he knew of to get out to Proprietors Road from their building at 1028 Proprietors Road. He said he was concerned if the Board granted the variance, that he

would be sued for an easement. Mr. Brown explained that was a civil matter and Mr. McHenry would need to speak with the attorneys already involved.

Mr. Brown swore in the speaker from the Railway Museum, Mr. John Bergman, 990 Proprietors Rd., Worthington, Ohio. Mr. Bergman said he noticed the applicant did not change the supporting statement at all and that Mr. Brown would not be addressing the easement issue, but he felt that would be something he would want to look at before granting a request to build. Mr. Bergman said he agreed with Mr. McHenry that if granted, it would set a precedent. He said he has tried talking with the owner's attorney, but that had been a fruitless effort. Mr. Bergman asked Mr. Brown about the applicant's request for a setback variance for ten feet instead of thirty feet, and if parking is normally allowed within a thirty-foot setback without a variance, and Mr. Brown said yes, parking is permitted, the variance was for the structure. Mr. Bergman said the ingress and egress issue was being disputed, but there has never been a utility easement. He asked Mr. Brown for clarification about the storm water issue and Mr. Brown explained he had spoken with the City's Engineer, and the person that handles all of the storm water requirements review, and they believe that the requirements for on-site retention for water quality and water quantity, that the proposed plan would help the exiting issues that the Railway Museum and Mac Construction would be experiencing. Mr. Bergman said he wanted to go on record with his displeasure of the height of the building, but since that was not an issue, he was not going to elaborate any further. Mr. Seitz said he appreciated City Staff's clarification about the parking requirements, and he also thanked the applicant for the maneuverability study to show how the trucks could maneuver without going onto Mac Construction's property.

Motion:

Mr. Seitz moved:

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 SETBACK AT 1018 PROPRIETORS RD., AS PER CASE NO. BZA 16-2020, DRAWINGS NO. BZA 16-2020 DATED JUNE 10TH, 2020, BE UPHELD, 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. Mr. Falcoski recused himself from voting; Mr. Coulter, aye; Mr. Seitz, aye; and Ms. Crane, aye. The motion was approved.

C. Items of Public Hearing – New Business

1. **Variance – Front Yard Setback – Front Entry & Porch – 561 Park Overlook Dr.**

(Jeremy Little) **BZA 18-2020**

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District in the Colonial Hills neighborhood. The dwelling was built in 1954 and is an existing lot of record.

The applicant is proposing to construct a front porch and entry feature to the existing dwelling that would encroach in the required front yard.

The applicant is requesting this variance to enhance the livability and aesthetic of the home without having to sacrifice any part of the interior.

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.

Request:

The applicant is requesting to construct a front entry and porch in the required front yard. The porch is proposed to be 26 feet 6 inches from Park Overlook Drive; a variance of 3 feet 6 inches is required.

Conclusions:

The lot size is smaller than the minimum required for the district. This can limit the area in which a feature like this can be added to the dwelling. This factor can mitigate the nature of the variance request.

The essential character of the neighborhood should not be substantially altered as other nearby properties have similar front entries features and porches. The porch will also match the existing character of the home. In addition, Worthington is traditionally known for encouraging front porch structures in order to convey a friendly and inviting feel throughout the neighborhood.

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

Discussion:

Mrs. Nofer swore in the applicant, Mr. Jeremy Little, 561 Park Overlook Dr., Worthington, Ohio. Mr. Little said they are looking to add a front entry, and front covered porch. The

enclosed front entry component would not encroach into the required setback. He said it was a simple entry piece. Board members had no comments or concerns. Ms. Crane asked Mrs. Bitar if there were any emails or callers who wanted to comment, and she said no.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY JEREMY LITTLE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A PORCH TO BE IN THE REQUIRED FRONT YARD AT 561 PARK OVERLOOK DR., AS PER CASE NO. BZA 18-2020, DRAWINGS NO. BZA 18-2020 DATED MAY 18, 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. Mr. Falcoski, aye; Mr. Coulter, aye; Mr. Seitz, aye; and Ms. Crane, aye. The motion was approved.

2. Variance – Garage – 5781 Indianola Ave. (Bret Gould) BZA 19-2020

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District in the Colonial Hills neighborhood on a corner lot.

The applicant is proposing to install a 22 foot by 24 foot two-car garage in the southwest corner of the property in the required rear and side yard.

The proposed garage would be placed in the area where a shed currently stands. The shed would be removed as part of this proposal.

The applicant is requesting this variance for the purpose of adding storage space to the property.

Worthington Codified Ordinances:

Section 1149.08(b) of the Worthington Codified Ordinances has the following regulations for accessory buildings:

- If the accessory structure exceeds 120 square feet, it must be setback at least 8 feet from the side yard lot line, and 10 feet from the rear lot line.

Request:

The applicant is requesting to construct a garage both 3 feet from the rear and side property lines. A variance of 5 feet is required for the side yard. A variance of 7 feet is required for the rear yard.

Conclusions:

There is a mature tree in the rear yard that the property owner wishes to keep intact. In addition, the property being located on a corner limits where a garage structure can be built in conformity. These factors mitigate the nature of this request.

The property does not currently have a garage; thus, with the installation of the proposed structure, cars and other equipment would be stored out of public view.

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

Discussion:

Mr. Coulter asked if the shed would be taken away or relocated somewhere else on the property. Mrs. Nofer said the homeowner intends to remove the shed. Mrs. Nofer swore in the applicant, Mr. Bret Gould, 5781 Park Overlook Dr., Worthington, Ohio. Board members had no questions or concerns. Ms. Crane asked Mrs. Bitar if there were any emails or callers who wanted to comment, and she said no.

Motion:

Mr. Coulter moved:

THAT THE REQUEST BY BRET GOULD FOR A VARIANCE FROM CODE REQUIREMENTS FOR A GARAGE TO BE CONSTRUCTED IN THE REQUIRED REAR AND SIDE YARD AT 5781 PARK OVERLOOK DR., AS PER CASE NO. BZA 19-2020, DRAWINGS NO. BZA 19-2020 DATED MAY 29TH, 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. Mr. Falcowski, aye; Mr. Seitz, aye; Mr. Coulter, aye; and Ms. Crane, aye. The motion was approved.

**3. Variance – Front Yard Setback – Pond – 1105 Beechview Dr. (Alainna Greene)
BZA 20-2020**

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District. The surrounding properties are also single-family homes in the R-10 District. The neighborhood was originally developed in 1954 in Perry Township without curb and gutters. Due to annexation, the neighborhood is now a mix of Worthington, Columbus, and Perry Township.

The applicant is requesting a variance to allow the retention of a pond of the property. The variance request is both due to a violation case with the City and was recommended as a form of remediation by Mayors Court.

The pond is located in the southeast corner of the property. The property owners stated they installed the pond for the purpose of retaining water and to prevent flooding on their property and neighboring properties. They stated the neighboring property to the north has experienced a substantial amount of water on their property that floods their basement; the installation of this pond on the subject property has helped remediate that for them.

The property owners have attempted other means of correcting the flooding in the area by installing a rock trench and a 12" drainpipe that flows under their driveway, but they stated the retention pond is the most successful method.

The Service and Engineering Department stated there are no applicable codes or storm water regulations they can legally enforce with this particular issue – making this solely a zoning issue. Again, this area was developed when it was all Perry Township which had very limited stormwater regulations at that time.

The property owners plan to add aesthetic improvements to the pond such as plants, bushes, tall grasses, and rocks around the edge.

Worthington Codified Ordinances:

Section 1147.01 states Man-made impoundments, lakes or ponds shall not be permitted in the City, except as part of a planned development in a Community Development Project, Integrated Commercial Center and Integrated Office, Research or Restricted Industrial Centers. This prohibition on impoundments, lakes, or ponds shall not apply in residential districts to back yard fishponds or decorative water features with a depth of thirty inches or less, a surface of less than seventy-five square feet and located to the rear of a dwelling or structure.

Request:

The applicant is requesting to retain the existing pond. A variance is required to allow a man-made pond of this size and depth.

Conclusions:

The property in question is larger than the typical lot size seen in the R-10 district; the minimum lot size requirement is 10,400 square feet, while this property is approximately 58,300 square feet. In addition, the pond is in place to solve a drainage problem in the neighborhood rather than there for leisure purposes. There have been other methods explored to alleviate the flooding in the area, and the applicant states the method in question is the one that most solves the issue at hand. These factors may mitigate the substantial nature of the variance request.

The essential character of the neighborhood should not be substantially altered.

The delivery of government services should not be affected with the retention of the pond as long as it is maintained.

Discussion:

Mrs. Nofer swore in the applicant, Mrs. Alainna Greene, 1105 Beechview Dr., Worthington, Ohio. Ms. Crane asked what the Code requirement was for swimming pools and if fencing was required and Mrs. Nofer said yes, fencing is required around pools and referred the discussion to Mr. Brown. Mr. Brown said he recently met with the City's Law Director, Mr. Tom Lindsey, to go over some questions and concerns that staff and Board members had. Mr. Brown said a four-foot fence is required around swimming pools, but there was no requirement set forth for fencing around ponds. Mr. Brown said he confirmed with Mr. Lindsey there would be no liability on the City's behalf for proving this and/or the Board for proving this, if for some reason five years from now or ten days from now, that something would happen, the liability would be upon the applicant themselves. There would be no liability to the City or the Board of Zoning Appeals for proving that. Mr. Brown said if there became an issue with mosquitos, the City has a contract with Columbus Public Health and the City could reach out to Columbus Public Health for their assistance in reaching out to the homeowners and assisting with regulations and improvements to the pond. He said when it's the applicants turn to speak; he would like to hear how the pond area would be improved.

Mr. Brown said staff had additional discussions with the Service & Engineering Department about the storm water issues that have plagued the area and they did not believe the proposed project would exacerbate the situation. Ms. Crane said he had some concerns about the depth of the pond and felt it could be a safety issue since there was not a fence. Mr. Brown said they could check with the applicant to see if they were willing to add a safety barrier.

Mr. Josh Greene, 1105 Beechview Dr. S., Worthington, Ohio said they have already obtained a fence permit to eliminate the danger near the pond. He said from top to bottom the pond is about six feet deep, but there is currently only about two inches of water in the pond now, and the deepest it has ever been has been about two feet deep. He said if the pond is approved, they have also planned to clean it up by adding some landscaping around the area. Ms. Crane asked Mrs. Bitar if there were any emails or outside callers wishing to speak about the application and Mrs. Bitar said she received one email from Mr. Vince Gazzara, 1099 Beechview Dr. S., Worthington, Ohio.

Mr. Gazzara wrote:

RE: 1105 Beechview Dr pond variance 6/20/20

"First understand the topography and rain water flow in this area of Beechview Drive. Rain water flows onto 1115 Gepharts from the property north and from two properties behind them on Linworth Rd. which are at a higher elevation. This water then flows down hill to 1105 Greene's front yard, currently through a 12" pipe under Greens driveway and an old possibly compromised buried drain pipe that terminates in Greene's catch basin.

More water then accumulates on Greene's front yard from the two properties behind Greene on Linworth Rd which are at a higher elevation. In heavy rains, water also flows from the properties across Beechview Dr, over the roadway, to Greene's front lawn. All this water has to then flow from Greene to the drainage ditch south of Greene which runs from the current catch basin across the rear of 5892 Linworth Rd Scales to the creek . My driveway borders 1105 Green and my house borders 5892 Scales.

The problem to be solved here is to sufficiently direct heavy rain water from 1115 Gephart to 1105 Green so Gephart is not flooded. This is not a zoning issue.

1. The catch basin in question does not meet code for location and size. It is not a pond. In the dry months of summer it turns to stagnant water, then mud and then dries out.
2. As stated in the application, even with this catch basin 1115 Gephart still gets flooded so the problem for 1115 is not solved even if the catch basin is approved and Greene spends the proposed \$10,000 to make it look better.
3. When our Beechview Dr subdivision was platted in the 1950's the large southward sloping front yard of 1105, currently Greene, was a natural conduit for all the referenced rain water to run to the creek south of 5892 Linworth, which then runs to Antrim Lake.
4. A pond or catch basin of the code compliant 80 square feet is all that would be needed at the south side of Greene's property if the water flowing out of it could continue, unimpeded, through the drainage ditch across 5892 Scales to the creek. A few years ago Pat Scales placed a drainage pipe in the ditch leading from Greene's catch basin and buried it so he could have riding mower access. The pipe is not deep enough so this inadvertently created a dam that keeps the excess rain water from leaving Greene's property.

This could be solved by removing the shallow pipe and placing it a foot lower, and possibly adding a second pipe next to it or a larger pipe. That would get any excess water off Greene's property, but still does not fix the excess water issue at 1115 Gephart.

5. The solution here, which is not the responsibility of zoning, is to effectively get the heavy accumulated rainwater from 1115 Gephart to 1105 Greene, then from Greene to Scales, then to the creek.

If any of these property owners want some help with ideas or manual labor, I am available.”
There were no other speakers.

Motion:

Mr. Coulter moved:

THAT THE REQUEST BY ALAINNA GREENE FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A POND TO REMAIN IN THE REQUIRED FRONT YARD AT 1105 BEECHVIEW DR., AS PER CASE NO. BZA 20-2020, DRAWINGS NO. BZA 20-2020 DATED MAY 29TH, 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. Mr. Falcoski, aye; Mr. Seitz, aye; Mr. Coulter, aye; and Ms. Crane, nay. The motion was approved.

4. **Variance** – Setback & Screening – **6625 Guyer St.** (Schorr Architects/Worthingway Middle School) **BZA 21-2020**

The applicant requested to table this item. Mr. Coulter moved to table this application and Mr. Seitz seconded the motion. All Board members voted, “Aye,” and the application was tabled.

5. **Variance** – Rear Yard Setback – Shed – **587 Fox Lane.** (John and Steffanie Haueisen) **BZA 22-2020**

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District. Fox Lane is a private drive with approximately 20+ homes. The rear yard of the property abuts the Olentangy River.

The applicants installed a 64 square foot shed for the storage of their lawnmower and other materials without approval.

On October 15, 2019, a complaint to the City of Worthington was made regarding a shed at the property in question was being installed without a permit. Staff pursued the matter and informed the property owners of the need for a permit for the installation of a shed. The applicants stated that they were unaware that they needed a permit.

The property owners made application for permit on November 20, 2019, which was approved on November 25, 2019 with the intention of moving the shed in the spring to comply with the approved drawing submitted with their application showing the shed to be 5 feet from the northern property line., City staff followed up with the property owner again once the City reopened for business for a status updated on moving the shed. The property owners then applied for a variance on June 5, 2020 to keep the shed in the same location.

The applicant is requesting this variance in order to retain the shed in its current location and to have continued space for outdoor storage.

Worthington Codified Ordinances:

Section 1149.08(b) of the Worthington Codified Ordinances has the following regulations for accessory buildings:

- If the accessory structure is 120 square feet or less, it must be setback at least 5 feet from the side yard lot line, and 5 feet from the rear lot line.

Request:

The applicant is requesting to retain the existing shed in the required side yard approximately 3.3 feet – 4 feet from the property line. A variance of 1 – 1.7 feet is required.

Conclusions:

The property has a slight grade reduction on the opposing side yard, as well as the rear yard towards the river. This can limit the location where a shed can be put. In addition, the shed in size is minimal compared to other sheds in the area. These factors can mitigate the substantial nature of the variance request. The City of Worthington was also granted an easement of access along the southern portion of the applicant's property for river access in cases of emergency. The location of the shed would need to be located outside of this area for access to the river by first responders.

The essential character of the neighborhood should not be substantially altered as having a shed is not uncommon for the district.

Providing a minimum of 3.3 feet to 4 feet will permit the applicant to maintain the shed as needed.

The delivery of government services should not be affected with the retention of the shed.

Discussion:

Ms. Crane asked if there was a problem with the number of accessory structures or the square footage of those accessory structures and Mr. Brown said staff did receive two letters from the neighbors which he would read into the record. He said per the City's Code, people can have 850 square feet of accessory structure space. He explained the applicants had a one car garage, a two-car carport, a shed, and Rubbermaid containers to hold storage along side of their house, but they would not exceed 850 square feet of space.

Mrs. Nofer swore in the applicants, Mr. John and Mrs. Stephanie Haueisen, 587 Fox Lane, Worthington, Ohio. Ms. Crane asked why the shed was placed so far in the back of the yard and Mr. Haueisen said that was the most convenient spot for the shed and he begins mowing in the back. He said he was also taking care of mowing his neighbor's grass also. Board members had no other comments. Ms. Crane asked Mr. Brown if there were any emails or callers. Mr. Brown said he had received two emails he wanted to read into the record.

The first email was from Dr. Bob Chosy:

"I would like to say several things with regard to this case before you tonight. Though, technically, it may not be proper to mention the original situation, it is difficult to ignore the elephant in the room. The BZA failed, in my opinion, to correctly divide the lot resulting in a very high house wall being built incredibly close to the Haueisen's home. I realize that the correction wasn't made by this board early enough, allowing the the foundation of the wall to already be built. There has subsequently been some tit for tat between the neighbors but the bottom line is that to require the aging Haueisen's to move their shed, which is not up against the neighbor's house, one foot (12 inches) south is unreasonable and frankly ludicrous. Therefore I ask respectfully that this variance be allowed. Thank you for listening to my understanding of this situation."

Email from Mr. Tom & Mrs. Debbie Comer, 599 Fox Lane, Worthington, Ohio:

"We are responding to the request from the Haueisen's, for the Worthington BZA to allow the improper location of an originally unpermitted structure, built in their back yard, (Sept. '19) at 587 Fox Lane.

As Neighbors, we do not support the BZA approving this variance. We have always appreciated the work of the BZA, in monitoring correct behavior, and keeping quality in our beautiful City!

As neighbors of the Haueisen's, we all directly share the beautiful Olentangy River View from our homes and patios. (See photos.) The backdrop of all of our lots is filled with large, beautiful trees, not Sheds. Thus, Sheds definitely alter the "character of our neighborhood". Everyone on the River spends their time in their back yards, so it is irrelevant to say the "shed is not noticeable from the street".

The Haueisen's are using as defense, that they "cleared out" the back NW corner of their yard, to "enhance the view for the neighbors". We appreciated the clearing of the many, unsightly "antique" wood piles. However, if the Haueisen's had any concern about their neighbors' view, they would certainly have not replaced the wood piles with a 7 1/2' x 8' (8 ft tall) Plastic Shed! If not for retaliation, they could have installed a shed on the back SW corner, next to a house and lot that has been vacant for 12 years.

This new Shed makes a total of SIX Sheds on the Haueisen's property. All noticeable eye sores to neighbors and anyone passing by. In addition to the SIX Sheds, there are at least Four 55 gallon barrels, lining the house. We question the need for a single family (total 2 people) needing this excessive storage, plus a garage and a double carport. The City of Worthington should not allow this unkept, unsafe (home for varmints), condition in the City.

It's shocking to know that people who have caused The City of Worthington so much strife, with their frivolous law suit, is now asking for special treatment. Asking the city to overlook their 3 foot illegal set back, (shed is 2 ft from property line), after legally fighting their next door neighbor to move their entire home 18 inches, even though the new home was legally and properly permitted by the city.

Everyone needs to follow the rules, enforced by the BZA. This unsightly Shed Needs to be located correctly."

Thanks for your consideration,
Tom and Debbie Comer- 599 Fox Lane

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY JOHN AND STEFFANIE HAUESISEN FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A SHED TO BE IN THE REQUIRED SIDE YARD AT 587 FOX LN., AS PER CASE NO. BZA 22-2020, DRAWINGS NO. BZA 22-2020 DATED JUNE 5TH, 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. Mr. Falcoski, aye; Mr. Coulter, aye; Mr. Seitz, nay; and Ms. Crane, aye. The motion was approved.

**6. Variance – Extension of a Nonconforming Use – House Addition and Garage –
159 E. Granville Rd. (RAS Construction/Rekos) BZA 24-2020**

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District along regional thoroughfare Rt. 161. The duplex was built in 1921. This property is also subject to, and the proposed plans have been approved by the Architecture Review Board on June 11, 2020.

The applicant is proposing to construct an addition to the rear of the structure, as well as a second garage. Because the structure houses two dwelling units, it is a non-conforming use and would therefore need approval from the Board of Zoning Appeals to extend the use by constructing an addition.

Worthington Codified Ordinances:

Section 1129.05(e) states, “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”.

Request:

The applicant is requesting approval from the Board of Zoning Appeals to allow for the existing non-conforming use to be extended with the building.

Conclusions:

The building was originally constructed and has continued to be used as multi-family in use. The continuation of this use should not have neighboring properties suffer a substantial detriment as a result of the variance.

The essential character of the neighborhood should not be substantially altered.

The delivery of government services should not be affected with the extension of the building and new garage.

Discussion:

Mrs. Nofer swore in the applicants, Mr. Greg Rekos, 9396 Concord Rd., Powell, Ohio, 43065. Board members had no questions or concerns. Ms. Crane asked if there were any emails or callers and Mrs. Bitar said no.

Motion:

Mr. Falcoski moved:

THAT THE REQUEST BY RAS CONSTRUCTION ON BEHALF OF GREG AND JENN REKOS FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR EXTENSION OF A NON-CONFORMING USE FOR AN ADDITION AND GARAGE AT 159-161 E. GRANVILLE RD., AS PER CASE NO. BZA 24-2020, DRAWINGS NO. BZA 24-2020 DATED JUNE 5TH, 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. Mr. Seitz, aye; Mr. Coulter, aye; Mr. Falcoski, aye; and Ms. Crane, aye. The motion was approved.

7. **Variance** – Fence – Supporting Members – **243 W. New England Ave.** (Mike Miller and Meredith Baron) **BZA 25-2020**

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is in the R-10 (Low Density Residence) Zoning District.

The applicant is proposing to remove the existing fence on the property and install a new 6 foot privacy fence to enclose the back yard of the house.

On the west side of the property, the adjoining neighbor would not like the fence between the two properties to be removed, as it is a shared fence. The applicant states the only solution to allow a new fence to be installed on their property is by building on the existing fence. This would result in having the “nice” side of the fence facing inward on only the west side of the property.

The applicant has stated they have had conversations with the neighboring property owner about their request; it is the understanding of staff that while the neighbor would not like the existing fence to be removed, they do not object to the applicant installing the fence on their property.

Worthington Codified Ordinances:

Section 1180.02(b) states, "Supporting members for walls or fences shall be installed so as not to be visible from any other property which adjoins or faces the fences or walls. This shall not apply to fences with vertical supporting members where the fence is designed to be identical in appearance from either side."

Request:

The applicant is requesting a variance to construct a fence with the supporting members facing outward.

Conclusions:

The proposed fence will have a look to it that resembles supporting members facing inward. In addition, the fence will not be seen well, if at all, from the public-right-of-way. These factors may mitigate the substantial nature of the variance request.

The essential character of the neighborhood may be altered as it is not common to have supporting fence members facing outward in the community.

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

Discussion:

Mr. Seitz asked Mrs. Nofer to clarify if there were only three sections of the fence to be replaced. Mrs. Nofer explained the rear portion of the fence was on their property so they did not need consent of the neighbor to remove that portion of the fence.

Mrs. Nofer swore in the applicant, Ms. Meredith Baron, and Mr. Mike Miller, 243 W. New England Ave., Worthington, Ohio. Mr. Miller said they want to replace one side of the fence, but part of that fence lies on the neighbor's property. They would like to remove the entire section of the fence to clean up the property line, but the neighbor will not allow them to remove the portion of their fence that lies on her property. Mr. Miller said that was going to interfere with building the fence with the supports on the inside because the builders need to build the fence from the outside. The supporting posts would remain natural in color like the horizontal slats.

Ms. Crane asked Mr. Miller if it was possible to remove the neighbor's fence in order to properly install their new fence, then replace the neighbor's fence back the way it was. He said he assumed the neighbor did not want him touching her fence at all, and he had not

thought of that idea. Mr. Coulter said the motion could be drafted with the option of temporarily removing the neighbor's fence for construction purposes as long as the neighbor's fence was replaced the way it was originally, and if the neighbor does not agree to that then the Board could discuss just approving the fence with the first option.

The following email was sent in from the neighbor at 242 Sanbridge Circle, Worthington, Ohio.

"My name is Andrew Hess, and I live at 242 Sanbridge Circle. I recently received a letter about a hearing for our neighbors at 243 W New England road. They had asked for a variance on a fence, I believe.

We are in favor of the fence and have no issue with it being added to their property. Thank you."

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY MIKE MILLER AND MEREDITH BARON FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A THE SUPPORTING MEMBERS OF A FENCE TO FACE OUTWARD AT 243 W. NEW ENGLAND AVE. AS PER CASE NO. BZA 25-2020, DRAWINGS NO. BZA 25-2020 DATED JUNE 5TH, 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. Mr. Falcoski, aye; Mr. Coulter, aye; Mr. Seitz, aye; and Ms. Crane, nay. The motion was approved.

8. **Variance** – Side Yard Setback – Addition/Alteration – **536 Loveman Ave.**
(Lauerhass Architecture/Chamberlin) **BZA 26-2020**

Mrs. Nofer reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background:

This property is an existing lot of record in the R-10 (Low Density Residence) Zoning District. The surrounding properties are also single-family dwellings in the R-10 Zoning District.

The applicant is proposing to construct a second story addition over the rear section of the existing garage. The addition would be in the required side yard.

The applicant is requesting this addition to increase their living space.

Worthington Codified Ordinances:

Section 1149.05 states for existing lots of record, "The prevailing setback shall be met, but need not exceed the setbacks requirements for the district, and each side yard shall be a minimum of six feet."

Request:

The applicant is requesting to construct an addition in the required side yard. The addition is proposed to be 4 feet from the property line; a variance of 2 feet is required.

Conclusions:

The essential character of the neighborhood should not be substantially altered. The existing footprint of the house will remain the same.

The delivery of government services should not be affected.

Discussion:

Mrs. Nofer swore in the applicant, Ms. Amy Lauerhass, 753 Francis Ave., Bexley, Ohio. Ms. Lauerhass said she wanted to note that the lot size is smaller than what is normally required for the district and the addition behind the garage is within the required setbacks. Board members had no questions or concerns. Ms. Crane asked if there were any emails or outside callers and Mrs. Bitar said no.

Motion:

Mr. Seitz moved:

THAT THE REQUEST BY LAUERHASS ARCHITECTURE ON BEHALF OF LAURA AND ADAM CHAMBERLIN FOR A VARIANCE FROM CODE REQUIREMENTS TO ALLOW FOR A ADDITION TO BE CONSTRUCTED IN THE REQUIRED SIDE YARD AT 536 LOVEMAN AVE., AS PER CASE NO. BZA 26-2020, DRAWINGS NO. BZA 26-2020 DATED JUNE 5TH, 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. Mr. Coulter, aye; Mr. Falcoski, aye; Mr. Seitz, aye; and Ms. Crane, aye. The motion was approved.

D. Other

Mr. Brown said Ms. Leah Reibel resigned from the meeting and City Council was looking for a replacement and Mrs. Nofer's last day would be July 17, 2020, and she will be moving back home to Van Wert, Ohio, to work for the Maumee Valley Planning Commission.

E. Adjournment

Mr. Seitz moved to adjourn the meeting, and Mr. Coulter seconded the motion. All Board members voted, "Aye," and the meeting adjourned at 9:32 p.m.



City of Worthington

BOARD OF ZONING APPEALS

APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 27-2020
Date Received	06/15/2020
Fee	\$25.00
Meeting Date	08/06/2020
Filing Deadline	#68610

1. Property Location 5709 Foster Ave
2. Present/Proposed Use replace current fence
3. Zoning District R-10
4. Applicant Patricia Hosking
Address 5709 Foster Ave
Phone Number(s) 614-802-1297
Email winlanpa@hotmail.com
5. Property Owner Patricia Hosking
Address 5709 Foster Ave
Phone Number(s) 614-802-1297
Email winlanpa@hotmail.com
6. Action Requested (ie. type of variance) fencing - 1149.01
7. Project Details:
 - a) Description replace current chain link fence with new wood fence
 - b) Expected Completion Date August 2020
 - c) Approximate Cost \$6,000

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.

Applicant (Signature)

6/8/2020

Date

Property Owner (Signature)

6/8/2020

Date

ABUTTING PROPERTY OWNERS
FOR
5709 Foster Ave.

John Jones	5716 Foster Ave.	Worthington, OH 43085
Johnathan Bird & Rosalba Gomez Gutierrez	5710 Foster Ave.	Worthington, OH 43085
Srinivas and Patricia Narayanabhatta	5704 Foster Ave.	Worthington, OH 43085
Resident	5717 Foster Ave.	Worthington, OH 43085
Joseph Curran	259 Loveman Ave.	Worthington, OH 43085
Resident	5701 Foster Ave.	Worthington, OH 43085
Lawrence & Dawn Dutta	9383 Lake of the Woods Dr.	Galena, OH 43021
Karen Howell	215 Lake Ridge Rd.	Worthington, OH 43085
Matthew Kurk & Nicole Kessler	212 Loveman Ave.	Worthington, OH 43085

Supporting Statement

Hosking Application

5709 Foster Ave

The project that is in question is to replace a current, old chain link fence with a new, wood fence. The current chain link fence is beginning to rust, fall apart, and curl up at the bottom causing potential injury to humans and animals. The fence will be replaced along the same location with a new, wooden fence.

- 1) Without the variance, the majority of the house's backyard will not be able to be used; if the new fence is installed within 30' of the setback, this causes a significant loss of yard for the current and future owners to access.
- 2) The variance is not substantial since there is a current fence in place. This is not a completely new build, it is replacing the current fence.
- 3) Due to the fence being in the backyard of the house, if the variance would be approved, it would not alter the character of the neighborhood. Adjoining properties would not suffer detriment as a result of the variance. In fact, if the variance were not approved and the fence be placed 30' from the setback, this would cause an unusual visual layout of the property. The current fence follows the line of the driveway and alleyway, and gives a natural boundary to the backyard.
- 4) The variance would not adversely affect the delivery of governmental services since the new fence would be installed at the exact location of the current fence. There will be a double gate installed to allow larger equipment access to the backyard should it be needed.
- 5) The current property owner purchased the property in 2017 without knowledge of the zoning restriction in relation to the fence.
- 6) The need to install a new fence at the same location of the current fence cannot be done without a variance.
- 7) The intent of installing a new fence is not to defy the zoning restriction; rather, it is simply to update the look, character, and function of the backyard. It is to replace what is currently installed with a better product that will ensure less injury to those who access the property.

It should also be noted that there is another house 2 doors south of 5709 Foster that also has a fence along the alleyway (5695 Foster). Having a fence along the alleyway at 5709 Foster allows for consistency amongst the neighbors. Pictures of 5695 Foster are attached.

CITY OF WORTHINGTON

DRAWING NO.BZA 27-2020

DATE 06/15/2020

5709 Foster Ave.



MORTGAGE LOCATION PLAT

Lot 162

Colonial Hills

Worthington, Ohio

Plat Book 19, Page 38

Franklin Co. Recorder's Office

For: Valley Title & Escrow Agency, Inc.

First Commonwealth Bank

Seller: Csajko / Slattery

Buyer: Hosking



Scale 1" = 30'
October 23, 2017

Area in Flood Zone X.

16' Alley

Fencing Not Permitted
between the alley and
the building line.
1180.02

30' Rear Setback
1149.01

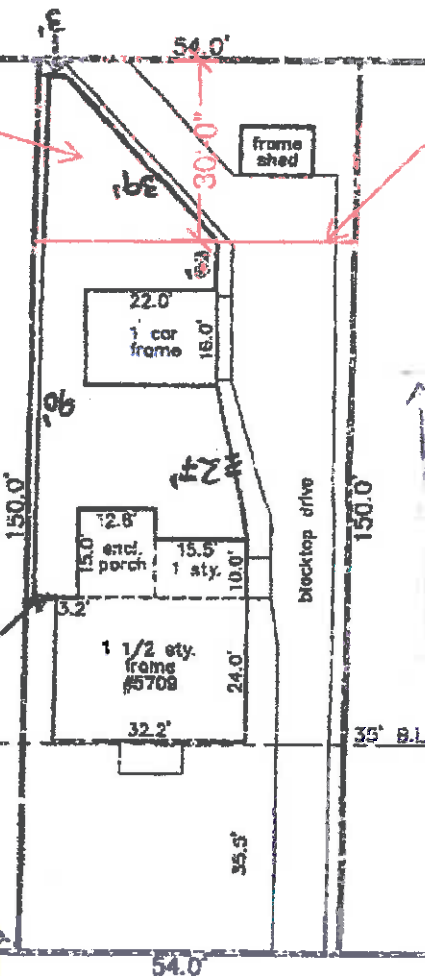


City Of Worthington, Ohio
Division of Building Regulation
Reviewed for Code Compliance

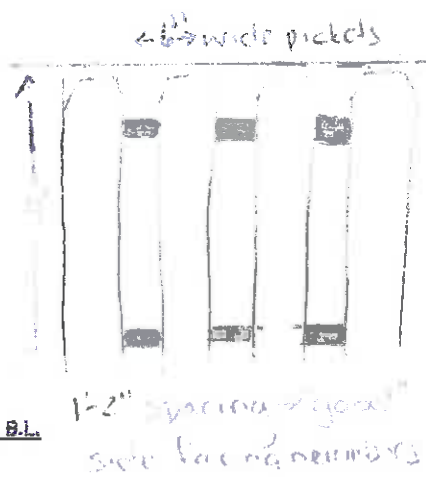
APPLICATION # 2020-0635(1)

APPROVED

165'± to



Foster Ave. 50'

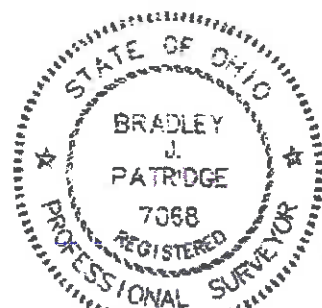


*Please note new
spacing on fence.
Fence will have 1"-2"
spacing between boards.

DGE
LLC
IN ROAD
O 43065
789-0031
300-5076

CERTIFICATION: We hereby certify that the foregoing
Mortgage Location 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. Not to be
used for any construction or to erect fences.

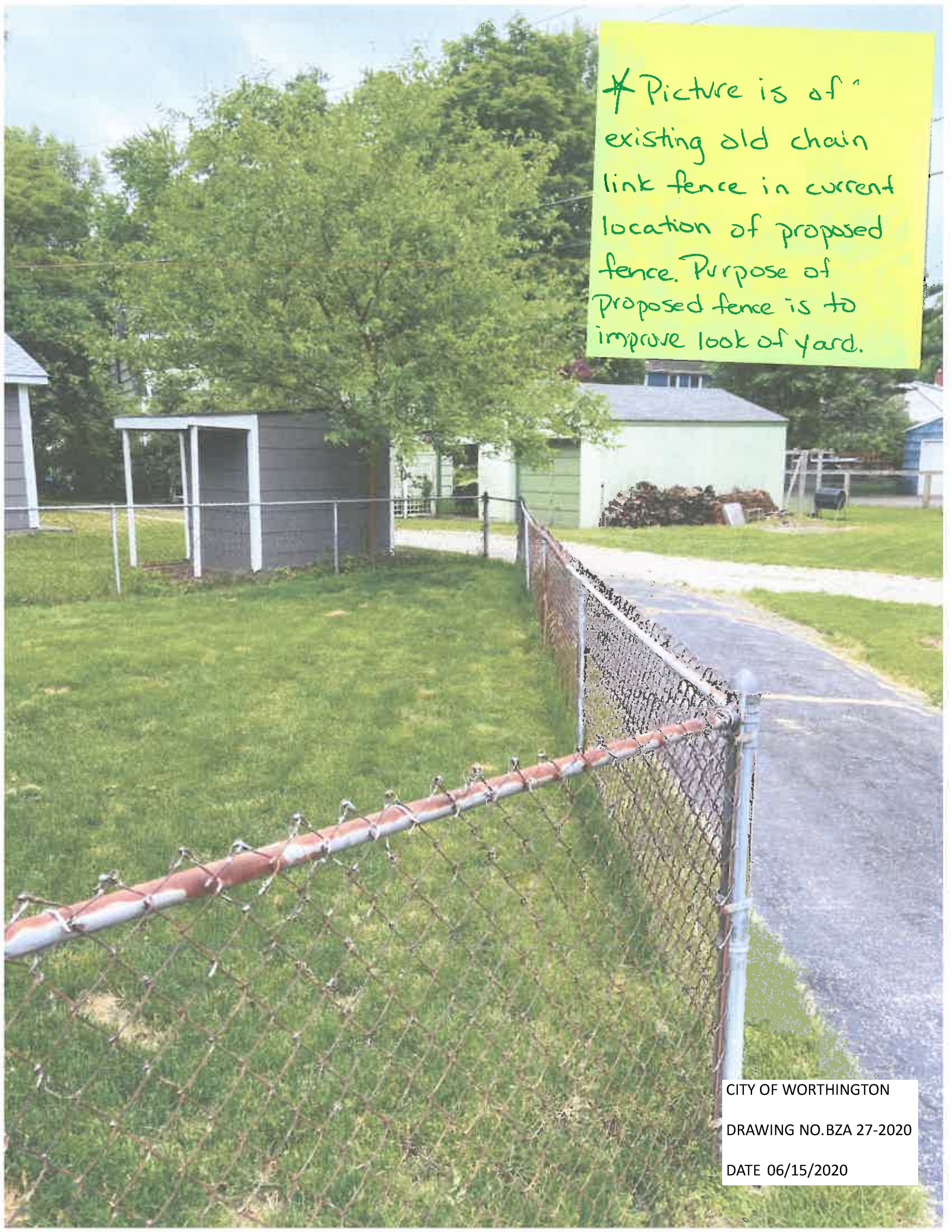
Bradley J. Patridge
Professional Surveyor No. 701



CITY OF WORTHINGTON

DRAWING NO. BZA 27-2020

DATE 06/15/2020


A photograph of a residential yard. In the foreground, a chain-link fence runs diagonally from the bottom left towards the middle right. The fence has a red and white painted top rail. To the right of the fence is a paved driveway. In the background, there is a house with a grey roof and light-colored siding. A large green tree is positioned behind the house. To the left of the house, there is a small grey shed with a white frame. The yard is covered in green grass. A yellow sticky note is attached to the top right of the photo.

* Picture is of existing old chain link fence in current location of proposed fence. Purpose of proposed fence is to improve look of yard.

CITY OF WORTHINGTON

DRAWING NO. BZA 27-2020

DATE 06/15/2020



* Picture of neighbor's existing fence that is also along alley/ right of way.

CITY OF WORTHINGTON

DRAWING NO. BZA 27-2020

DATE 06/15/2020



CITY OF WORTHINGTON

DRAWING NO.BZA 27-2020

DATE 06/15/2020

*Neighbor's fence
that is also in right
of way.



CITY OF WORTHINGTON
DRAWING NO. BZA 27-2020
DATE 06/15/2020

May 28, 2020

Buckeye Deck, Fence + Patio, Inc.
41 Spring Hollow Ln
Westerville, OH 43081

Attn: Lindsay Wade-Cox

Re: Application for Fence Permit 2020-0635
Parcel # 100-001847, Zoning District R-10
5709 Foster Avenue

The application for fence permit received on May 27, 2020 cannot be approved because a portion of the fence is between the alley right-of-way and the 30' rear building setback line.

You can seek a variance from the Board of Zoning Appeals and enclosed is the application form.

Alternatively, you can submit a revised site plan showing the fence outside of the building setback line.

The specific code requirements are:

1149.01 YARD, AREA AND HEIGHT FOR DWELLINGS AND ACCESSORY STRUCTURES.

The following schedule establishes minimum yard, area and maximum height requirements for dwellings and structures accessory to dwellings by districts:

District	Minimum Lot Width ¹ (in feet)	Minimum Lot Area ¹ (per family)	Minimum Yard Width (in feet) ^a			Sum of Side Yards	Maximum Height of Buildings Stories	Feet
			Front	Rear	Either Side			
"F-1"	No residences are permitted							
"S-1"	200	2 acres	60	60	25	60	4	45
"R-16"	100	16,000 sq. ft.	30	30	10 ¹	25	2-1/2	35
"R-10"	80	10,400 sq. ft.	30	30	8 ¹	20	2-1/2	30
"R-6.5"								
Single-Family	70	8,750 sq. ft.	30	30	8 ¹	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
"AR-4.5"								
Single-Family	70	8,750 sq. ft.	30	30	8 ¹	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
Multi-Family	120 ^a	4,500 sq. ft.	30	25	12	30	3	40 ^a
"AR-3"								
Single-Family	70	8,750 sq. ft.	30	30	8 ¹	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
Multi-Family	200 ^b	3,000 sq. ft.	30	20	20	50	4	45
"SC Assisted"	120 ^a	1,660 sq. ft.	30	30	20	50	2	30
(Assisted Living and Nursing Home Uses)								
"SC Residential"	120 ¹	3,000 sq. ft.	30	30	20	50	3	40

"SC Residential" 120' 2400 sq. ft. 30 30 20 50 3 40
(Including Efficiency Units)

- (a) Maximum percent of lot coverage with buildings is twenty-five percent (25%).
- (b) Maximum percent of lot coverage with buildings is twenty percent (20%).
- (c) This requirement may be reduced twenty-five percent (25%) for retirement and convalescent homes based on approval of Council.
- (d) See Section 1149.08 for special yard requirements.
- (e) See Section 1149.04 for additional height regulations.
- (f) See Section 1149.05 for existing lots of record.
- (g) Maximum percent of lot coverage in "SC" Assisted is thirty percent (30%).
- (h) Any "SC" development containing two or more stories shall provide elevator access to all dwellings above the first floor.
- (i) Maximum percentage of lot coverage in "SC" Residential is twenty percent (20%).

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. No fence or wall in an "R" district shall exceed a height of six feet.
- (b) Solid fences and walls shall be constructed of brick, stone, wood or other compatible material as determined by the Building Inspector. No barbed wire fences or a fence having cutting edges of any kind shall be constructed or maintained within this district. Supporting members for walls or fences shall be installed so as not to be visible from any other property which adjoins or faces the fences or walls. This shall not apply to fences with vertical supporting members where the fence is designed to be identical in appearance from either side.

We will hold this application for 6 months. If no action is taken, we will mark the application as expired.

Should you have any questions, feel free to contact me at 614-431-2424.

Sincerely,

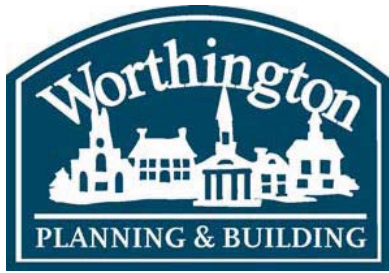

Donald L. Phillips, Jr., P.E.
Chief Building Inspector
Division of Building Regulation

cc: Patricia A Hosking, 5709 Foster Ave, Worthington, OH 43085

CITY OF WORTHINGTON

DRAWING NO. BZA 27-2020

DATE 06/15/2020



City of Worthington

BOARD OF ZONING APPEALS

APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 28-2020
Date Received	07/06/2020
Fee	25
Meeting Date	8/6/2020
Filing Deadline	

1. **Property Location** 243 Franklin Avenue, Worthington, OH 43085
2. **Present/Proposed Use** Residential
3. **Zoning District** R-10
4. **Applicant** Ted & Christy Walsh
Address 243 Franklin Avenue, Worthington, OH 43085
Phone Number(s) (614) 580-5201
Email ted@unitedmedsupplycom | christy@wardrobetherapyllc.com
5. **Property Owner** Same as above
Address _____
Phone Number(s) _____
Email _____
6. **Action Requested (ie. type of variance)** Variance on side yard to 4' from property line.
7. **Project Details:**
 - a) **Description** New addition, side yard to garage attic, to add 1 bedroom and 1 bath.
 - b) **Expected Completion Date** 6 months from start date - approximately April 2021.
 - c) **Approximate Cost** \$300k

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.

Ted Walsh Jr. Christy Walsh
Applicant (Signature)

7/6/20
Date

Ted Walsh Jr. Christy Walsh
Property Owner (Signature)

7/6/20
Date

ABUTTING PROPERTY OWNERS
FOR
243 Franklin Ave.

Eric Gussler	233 Franklin Ave	Worthington, OH 43085
Daniel Kort	253 Franklin Ave.	Worthington, OH 43085
Jack Stinson	260 Franklin Ave.	Worthington, OH 43085
Molly Tilton	250 Franklin Ave.	Worthington, OH 43085
Daniel Rankin	270 Franklin Ave.	Worthington, OH 43085
Jill Lukshin	220 E. Granville Rd.	Worthington, OH 43085
Elizabeth Mora	214 E. Granville Rd.	Worthington, OH 43085
Earl Metz	226 E. Granville Rd.	Worthington, OH 43085

To Whom It May Concern,

In support of our zoning application submission, the following is a brief synopsis of our renovation plans and reasoning behind the variance request:

In short, we are looking to add 1 bedroom and 1 full bath to our current layout, while also expanding our kitchen, adding a mudroom and expanding our current master bathroom and closet space to allow for more space for our growing family and to keep us in Worthington.

We are landlocked in the front and back of our property, so in order to accomplish this, we need to expand into our current side path, finishing with a remaining variance of 4 feet. This would expand our living space in the main part of our house out to the existing garage line, allowing us to build the additional bedroom and bathroom into the space above our garage.

There is plenty of precedent in our neighborhood, including our own home (on the other side) and with our neighbors on each side of us, for such a variance. Additionally, our neighbors have signed off on the renovation plans and would be willing to join Christy and I at the next zoning hearing in support of our request, if helpful.

We see this as a necessary step for our family to continue to reside in this community and a beneficial project to the community, in adding another highly valuable home to the area.

Thank you for your consideration and we look forward to many more wonderful years in the city of Worthington!

Best,
Ted & Christy Walsh

Ted Walsh Jr.
Christy Walsh

CITY OF WORTHINGTON

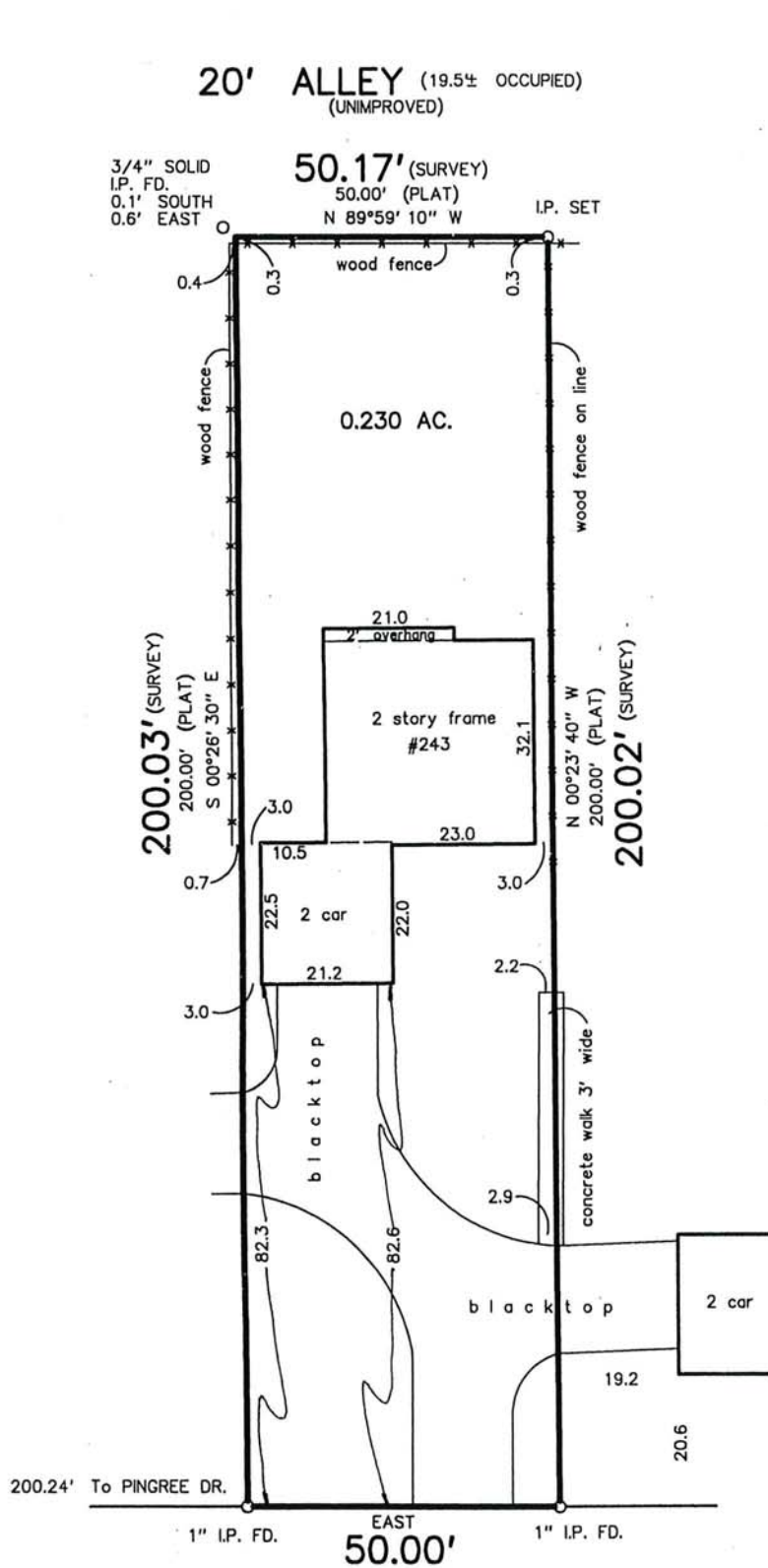
DRAWING NO.BZA 28-2020

DATE 07/06/2020

243 Franklin Ave.



Posted Address: 243 Franklin Ave., Worthington, Ohio



DATE 7-15-11



Myers Surveying Co., Inc.



CITY OF WORTHINGTON

DRAWING NO. BZA 28-2020

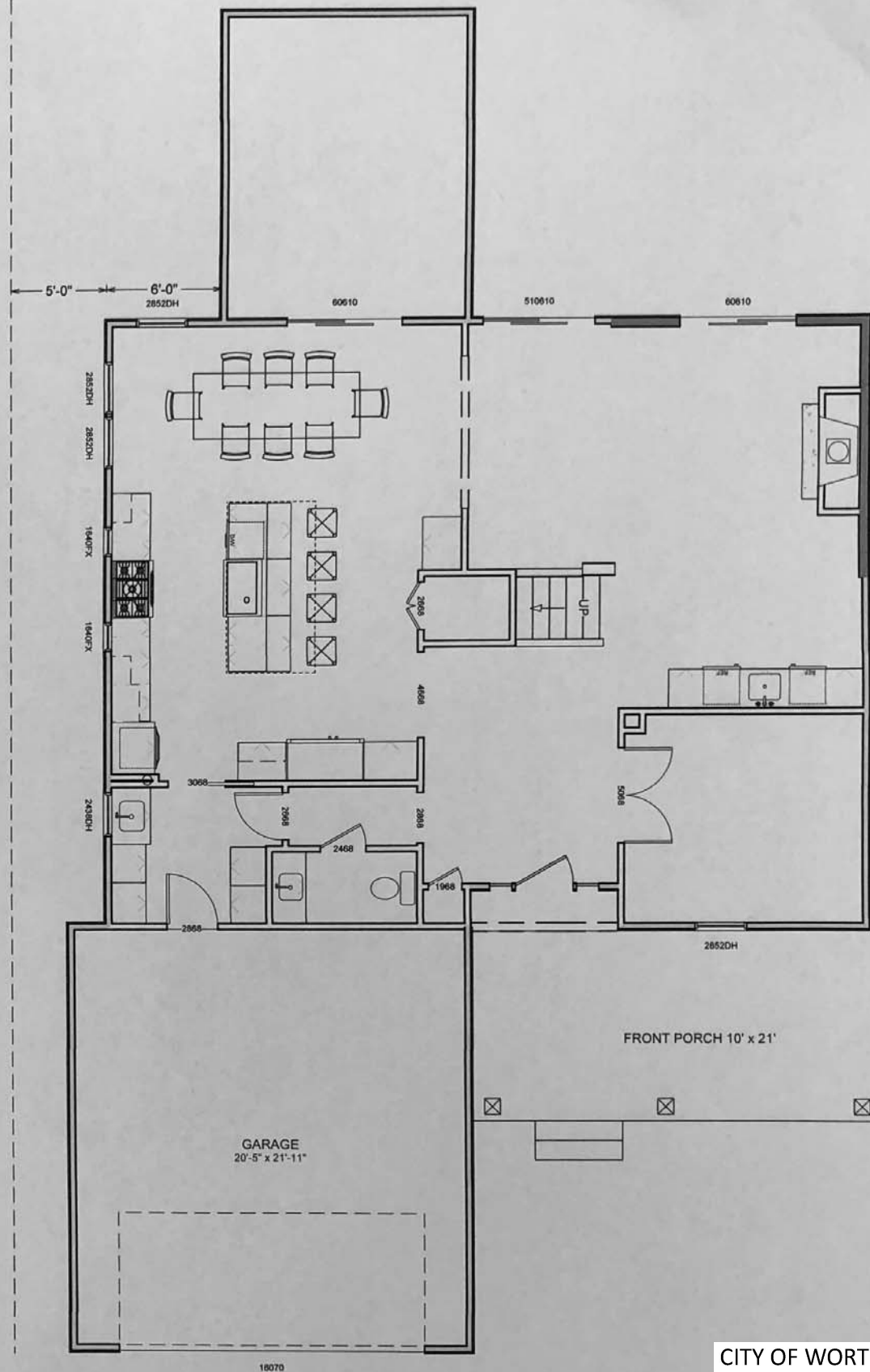
DATE 07/06/2020

ROSS
BUILDERS AND DESIGN

The Walsh Residence
243 Franklin Ave.
Columbus Ohio 43085

Plan #: EXISTING 1st Flr
Scale : 3/16" = 1'
Date: 6-19-20

Ross Builders and Design
6120 Crystal Valley Dr
Galena, OH 43021
614-204-5661



CITY OF WORTHINGTON

DRAWING NO. BZA 28-2020

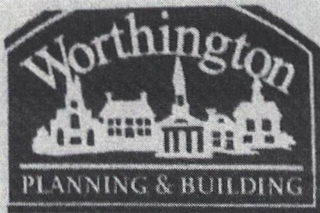
DATE 07/06/2020

ROSS
BUILDERS AND DESIGN

The Walsh Residence
243 Franklin Ave.
Columbus Ohio 43085

Plan #: New 1st Flr. Idea 1
Scale: 3/16" = 1'
Date: 6-19-20

Ross Builders and Design
6120 Crystal Valley Dr
Galena, OH 43021
614-204-5661



City of Worthington

BOARD OF ZONING APPEALS

APPLICATION

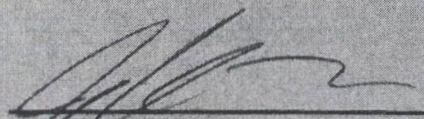
Meetings - First Thursday of Every Month

Case #	BZA 29-2020
Date Received	6/30/2020
Fee	\$25.00
Meeting Date	8/6/2020
Filing Deadline	

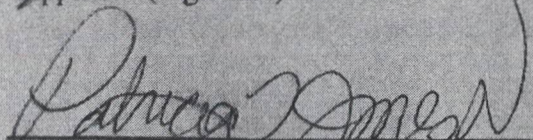
1. Property Location 5704 FOSTER AVE.
2. Present/Proposed Use 510 - ONE FAMILY DWELLING
3. Zoning District RESIDENTIAL
4. Applicant A:Z CONTRACTING LLC / JOSHUA RANIER
Address 8220 RICHARDSON RD GROVEPORT, OH 43125
Phone Number(s) 614-929-8671
Email OFFICE@AZCONTRACTINGLLC.NET
5. Property Owner PATRICIA NARAYANABHATTA AND SRINIVAS NARAYANABHATTA
Address 5704 FOSTER AVE.
Phone Number(s) 614-804-1695
Email VAS. TRICIA@GMAIL.COM
6. Action Requested (ie. type of variance) FENCE LOCATION
7. Project Details:
 - a) Description 51' OF 4' TALL CHAIN LINK FENCE
 - b) Expected Completion Date 6/11/2020
 - c) Approximate Cost \$1500.00

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.


Applicant (Signature)

6/25/2020
Date


Property Owner (Signature)

6/30/2020
Date

ABUTTING PROPERTY OWNERS
FOR
5704 Foster Ave.

Johnathan Bird & Rosalba Gomez Gutierrez	5710 Foster Ave.	Worthington, OH 43085
Patricia Hosking	5709 Foster Ave.	Worthington, OH 43085
Joseph and Judith Vanyo	5696 Foster Ave.	Worthington, OH 43085
Resident	5701 Foster Ave.	Worthington, OH 43085
Lawrence & Dawn Hutta	9383 Lake of the Woods Dr.	Galena, OH 43021
Nathan and Shannon Hull	5695 Foster Ave.	Worthington, OH 43085
Anne & Eric Michael Mateo Perdomo	253 Park Blvd.	Worthington, OH 43085



8220 Richardson Road
Groveport, OH 43125
(614) 929-8671
office@azcontractingllc.net

Supporting Statement

This fence was already installed on 6/11/2020. We originally thought this project fell under the City of Columbus. We did not catch our mistake until the homeowner brought it to our attention. We replaced the existing fence with a new chain link fence in the same location.

- (1) While there may be beneficial use of the property in question without the variance, use of the property would be lessened substantially.
- (2) In our opinion, the variance is not substantial. The fence was placed in the same location as the old fence we removed.
- (3) The essential character of the neighborhood would not be substantially altered and the adjoining properties would not suffer a detriment as a result of the variance. The adjoining properties already have fences in line with the homeowner's.
- (4) This variance would not adversely affect the delivery of governmental services.
- (5) The property owner did not purchase the property with knowledge of the zoning restriction.
- (6) The property owner's predicament cannot feasibly be obviated through any method other than a variance. The 30' setback would cause the property owner to lose approximately 35% of her back yard.
- (7) The spirit and intent behind the zoning requirement would be uniformity along the alley and safety for the property owner and their pets.

CITY OF WORTHINGTON

DRAWING NO. BZA 29-2020

DATE 06/30/2020

5704 Foster Avenue



100N066B 03300

City Of Worthington, Ohio
Division of Building Regulation
Reviewed for Code Compliance

APPLICATION # 2020-0757(1)

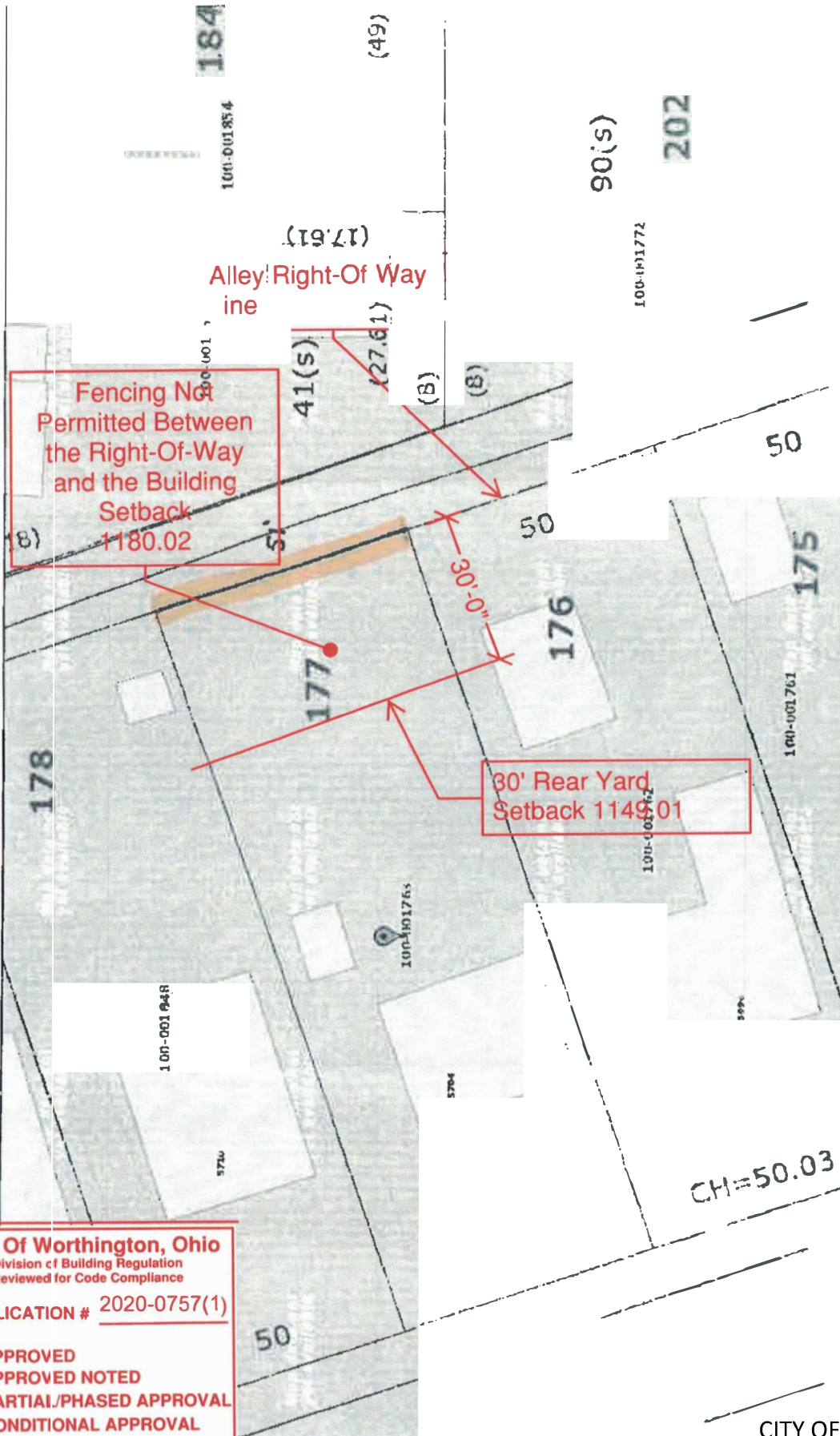
- ☐ APPROVED
- ☐ APPROVED NOTED
- ☐ PARTIAL/PHASED APPROVAL
- ☐ CONDITIONAL APPROVAL
- ☒ NOT APPROVED

REVIEWED BY:

Don Phillips

DATE:

6/19/2020



5' OF CHAIN LINK FENCE BUTTING UP TO NEIGHBORS FENCE / 4' TALL

WE ARE REPLACING EXISTING FENCE WITH NEW.

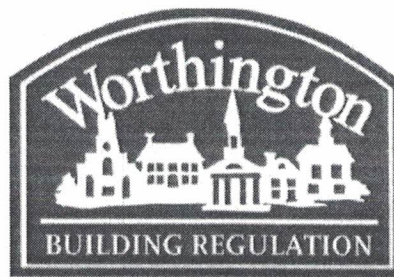
CITY OF WORTHINGTON

DRAWING NO. BZA 28-2020

DATE 07/06/2020

Franklin County Auditor
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Franklin County Auditor's Office
Copyright 2015



CITY OF WORTHINGTON

DRAWING NO.BZA 29-2020

DATE 06/30/2020

June 19, 2020

A:Z Contracting LLC
8220 Richardson Rd.
Groveport, OH 43125

Attn: Josh Rainier

Re: Application for Fence Permit 2020-0757
Parcel # 100-001763, Zoning District R-10
5704 Foster Avenue

The application for fence permit received on June 15, 2020 cannot be approved because a portion of the fence is between the alley right-of-way and the 30' rear building setback line.

You can seek a variance from the Board of Zoning Appeals and enclosed is the application form.

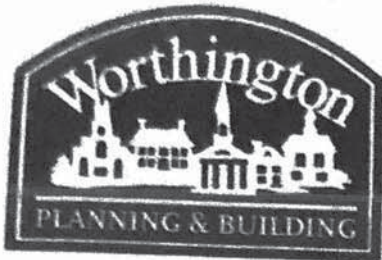
Alternatively, you can submit a revised site plan showing the fence outside of the building setback line.

The specific code requirements are:

1149.01 YARD, AREA AND HEIGHT FOR DWELLINGS AND ACCESSORY STRUCTURES.

The following schedule establishes minimum yard, area and maximum height requirements for dwellings and structures accessory to dwellings by districts:

District	Minimum Lot Width ^f (in feet)	Minimum Lot Area ^f (per family)	Minimum Yard Width (in feet) ^d			Sum of Side Yards	Maximum Height of Buildings Stories	Feet
			Front	Rear	Either Side			
"F-1"	No residences are permitted							
"S-1"	200	2 acres	60	60	25	60	4	45
"R-16"	100	16,000 sq. ft.	30	30	10 ^f	25	2-1/2	35
"R-10"	80	10,400 sq. ft.	30	30	8 ^f	20	2-1/2	30
"R-6.5"								
Single-Family	70	8,750 sq. ft.	30	30	8 ^f	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
"AR-4.5"								
Single-Family	70	8,750 sq. ft.	30	30	8 ^f	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
Multi-Family	120 ^a	4,500 sq. ft.	30	25	12	30	3	40 ^e
"AR-3"								
Single-Family	70	8,750 sq. ft.	30	30	8 ^f	16	2-1/2	30
Two-Family	90	5,850 sq. ft.	30	30	10	25	2-1/2	30
Multi-Family	200 ^b	3,000 sq. ft.	30	20	20	50	4	45
"SC Assisted"	120 ^g	1,660 sq. ft.	30	30	20	50	2	30
(Assisted Living and Nursing Home Uses)								
"SC Residential"	120 ^l	3,000 sq. ft.	30	30	20	50	3	40



City of Worthington

BOARD OF ZONING APPEALS

APPLICATION

Meetings - First Thursday of Every Month

Case #	BZA 30-2020
Date Received	07/10/2020
Fee	\$25pd
Meeting Date	
Filing Deadline	

1. **Property Location** 6877 Hayhurst St Worthington OH 43085
2. **Present/Proposed Use** residential - portico
3. **Zoning District** _____
4. **Applicant** Trevor Long
Address 6877 Hayhurst St Worthington OH 43085
Phone Number(s) 6143762715
Email longs6877@gmail.com
5. **Property Owner** Trevor Long
Address 6877 Hayhurst St Worthington OH 43085
Phone Number(s) 6143762715
Email longs6877@gmail.com
6. **Action Requested (ie. type of variance)** _____
7. **Project Details:**
 - a) **Description** 120"x52" portico
 - b) **Expected Completion Date** 08/30/20
 - c) **Approximate Cost** 6000

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.

Applicant (Signature)

Date

Trevor Long
Property Owner (Signature)

7/10/2020
Date

ABUTTING PROPERTY OWNERS
FOR
6877 Hayhurst St.

Daniel & Margaret Birmingham	6887 Hayhurst St.	Worthington, OH 43085
Richard & Barbar Deitch	6876 Alloway St. E	Worthington, OH 43085
Jeffrey & Gail Lensmire	6870 Alloway St. E	Worthington, OH 43085
Andrew & Carrie Howland	6869 Hayhurst St.	Worthington, OH 43085
Dennis & Susan Yep	6874 Hayhurst St.	Worthington, OH 43085

To whom it may concern,

We are asking for zoning variance to build a 120"x52" portico at the front at 6877 Hayhurst St Worthington Oh 43085, above the existing porch. The distance from the front door to the concrete walkway at the front is 30 feet.

CITY OF WORTHINGTON

DRAWING NO.BZA 30-2020

DATE 07/10/2020

6877 Hayhurst St.





CITY OF WORTHINGTON

DRAWING NO.BZA 30-2020

DATE 07/10/2020

Scope of work:
Add 120"x52
portico at the
front door per
this image



CITY OF WORTHINGTON

DRAWING NO. BZA 30-2020

DATE 07/10/2020



City of Worthington

BOARD OF ZONING APPEALS

APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 31-2020
Date Received	07/10/2020
Fee	\$25
Meeting Date	
Filing Deadline	

1. **Property Location** 285 McCoy Avenue, Worthington Ohio 43085
2. **Present/Proposed Use** Vacant Site (previous residence demolished) / Single Family Residence
3. **Zoning District** R-10
4. **Applicant** JBAD Architects - Eric Thompson
Address 243 N. 5th St., Ste. 200, Columbus Ohio 43215
Phone Number(s) 614.228.7311
Email ethompson@jbadusa.com
5. **Property Owner** Craig Carpenter and Kate Blanchard
Address 19 Melrose St. #3, Boston, Mass, 02116
Phone Number(s) 617.943.3400
Email Carpchards@gmail.com
6. **Action Requested (ie. type of variance)** Front Yard Setback Reduction
7. **Project Details:**
 - a) **Description** New Construction of Single-Family Residence
 - b) **Expected Completion Date** September 2021
 - c) **Approximate Cost** \$600,000

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.

[Signature]
Applicant (Signature)

7/10/20
Date

[Signature] Kate Blanchard
Property Owner (Signature)

7-9-20
Date

ABUTTING PROPERTY OWNERS
FOR
285 McCoy Ave.

Kewei Hou & Jing Song	287 McCoy Ave.	Worthington, OH 43085
Ernst & Suzanne Fischer	296 McCoy Ave.	Worthington, OH 43085
Elizabeth Hatfield	286 McCoy Ave.	Worthington, OH 43085
Adam & Rosanne Nagel	282 McCoy Ave.	Worthington, OH 43085
Bob Webb Lewis Center LLC	7662 North Central Dr.	Lewis Center, OH 43035
Resident	283 McCoy Ave.	Worthington, OH 43085
Steven & Suzanne Guy	264 E. South St.	Worthington, OH 43085
Christina Beech	276 E. South St.	Worthington, OH 43085

Friday, July 10, 2020

City of Worthington Zoning Department
374 Highland Ave.
Worthington, OH 43085

Re: **Variance Request for Reduction in Front Yard Setback**
285 McCoy Ave

To whom it may concern,

The intent of this project is to construct a new, single-family residence on an existing site at 285 McCoy Avenue. The owner is requesting a reduction to the front yard setback from 30'-0" to 5'-6". Note that the residence, now demolished, which existed on the immediately prior to this project, had a front yard setback of 0'-0" (see sheet 0.2, supporting graphics packet).

The existing site has a very steep slope, not only due to the natural topography but due to the excavation resulting from the demolition of the previous structure (see existing site survey, sheet 0.2, supporting graphics packet). Even with the requested 5'-6" setback, construction of the project will require significant fill, grading and retaining walls, and following the 30'-0" setback would create an undue cost burden for the owner, and these inherent site conditions would create a hardship that would preclude development for any prospective owner.

Furthermore, the project design aims to minimize impact on the natural features of the site and preserve, as much as possible, the existing trees to the south. Following the 30'-0" setback requirement would potentially lead to significant removal of existing mature trees.

The proposed design however locates the garage structure below the lowest level of grade at the street, and is built into the slope at the northwest corner. Because of this, only the upper portion of the garage structure is visible from the street, minimizing its bulk.

Granting the variance would not negatively impact utilities or governmental services. The design will be of a high quality and will improve, not detract, from the quality and character of the neighborhood.

The proposed 2-1/2 story home is sited with one primary basement living area below the level of the street, further minimizing its mass, and the house proper is set back from the street more than 30'-0".

Because of all the reasons noted above, we believe this variance request is reasonable, denying it would be an undue hardship and we respectfully request its approval.

Sincerely,

CITY OF WORTHINGTON

Eric T. Thompson
Senior Associate Architect

DRAWING NO.BZA 31-2020

DATE 07/10/2020

The logo for Jonathan Barnes Architecture and Design (JB AD) is displayed within a grey square. The letters 'JB' are stacked above 'AD' in a white, sans-serif font.

Jonathan Barnes
Architecture and Design
243 N 5th Street, Suite 200
Columbus, Ohio 43215

TEL 614.228.7311
www.jbadusa.com

285 McCoy Ave.





285 MCCOY AVENUE

SUBMISSION: ZONING VARIANCE

PREPARED FOR:

WORTHINGTON BOARD OF ZONING APPEALS

PROJECT NO: 20109

ISSUE DATE: 07.24.2020

PROJECT ADDRESS:
285 MCCOY AVE
WORTHINGTON, OH 43205

The logo consists of the letters 'JB' stacked above 'AD' in a white, sans-serif font, centered within a dark gray square.

CITY OF WORTHINGTON

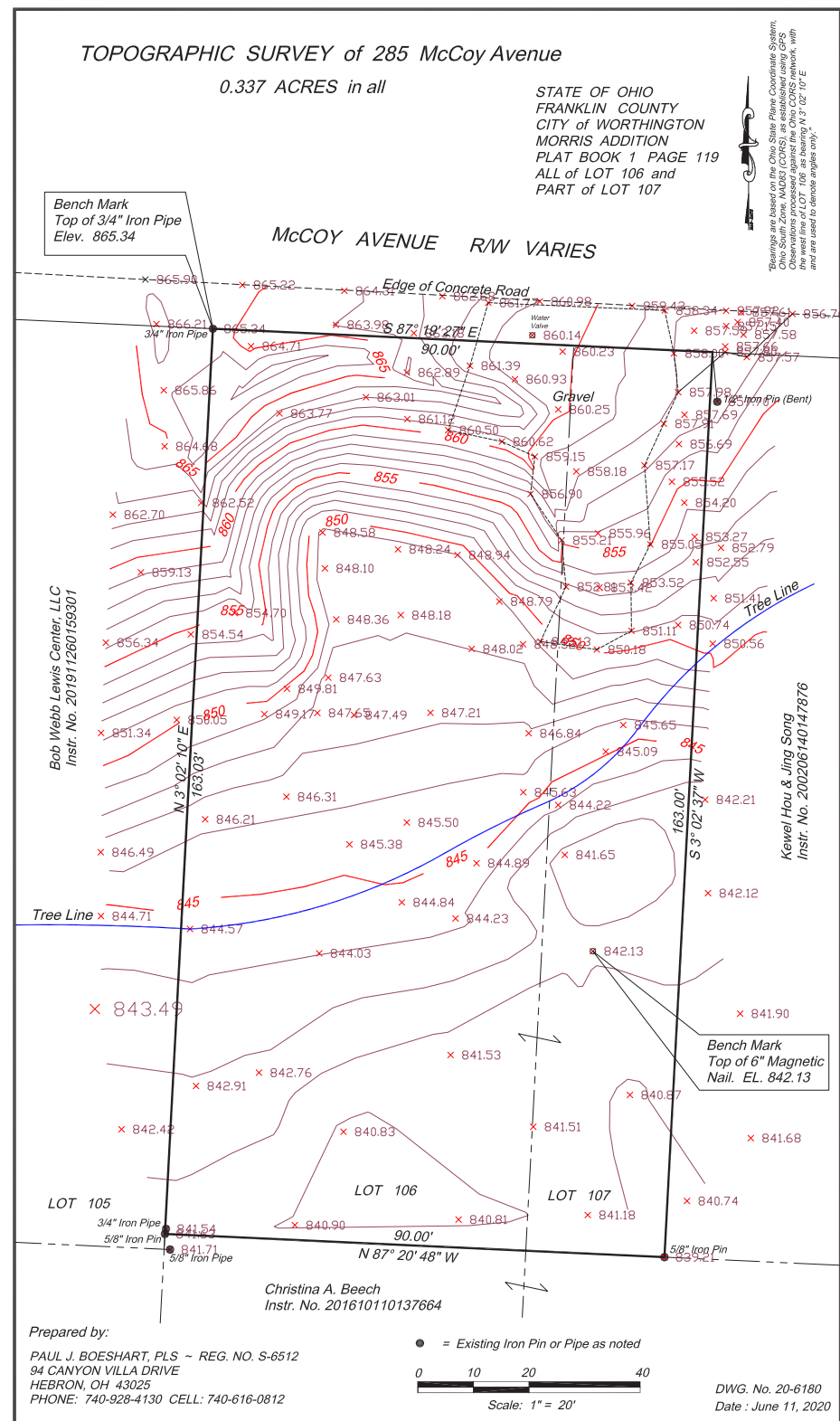
DRAWING NO. BZA 31-2020

DATE 07/10/2020

PREPARED BY:

JONATHAN BARNES
ARCHITECTURE AND DESIGN

243 N. 5TH STREET, STE 200
COLUMBUS, OH 43215
614.228.7311



Existing Topography

Adjacent property -
variance previously granted for
reduction in Front Yard Setback.

Garage of previous residence on
site - 0'-0" Front Yard Setback



CITY OF WORTHINGTON

DRAWING NO.BZA 31-2020

DATE 07/10/2020

Site Information

285 MCCOY AVENUE

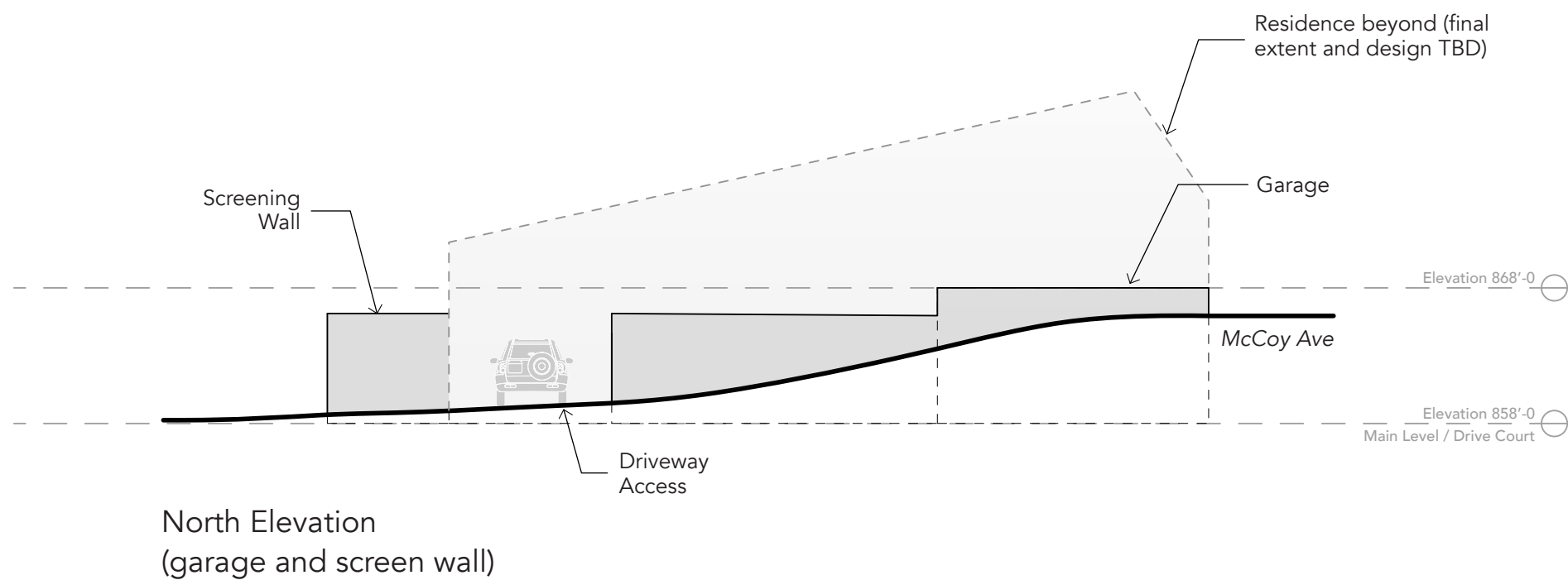
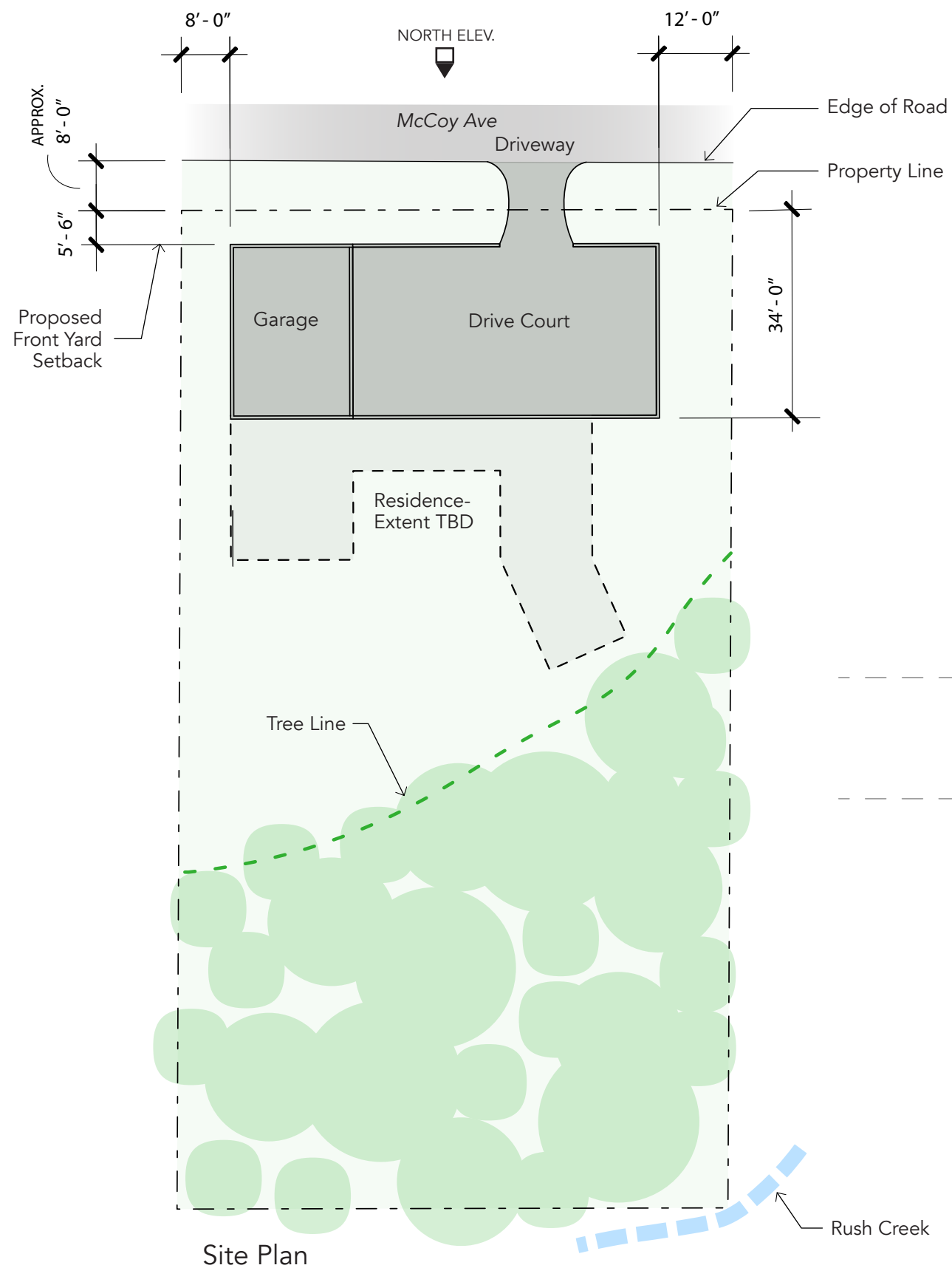
Scale: N.T.S.

0.2

07.25.20

JB
AD

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Site Plan & Elevation at McCoy

285 MCCOY AVENUE

Scale: N.T.S.

CITY OF WORTHINGTON

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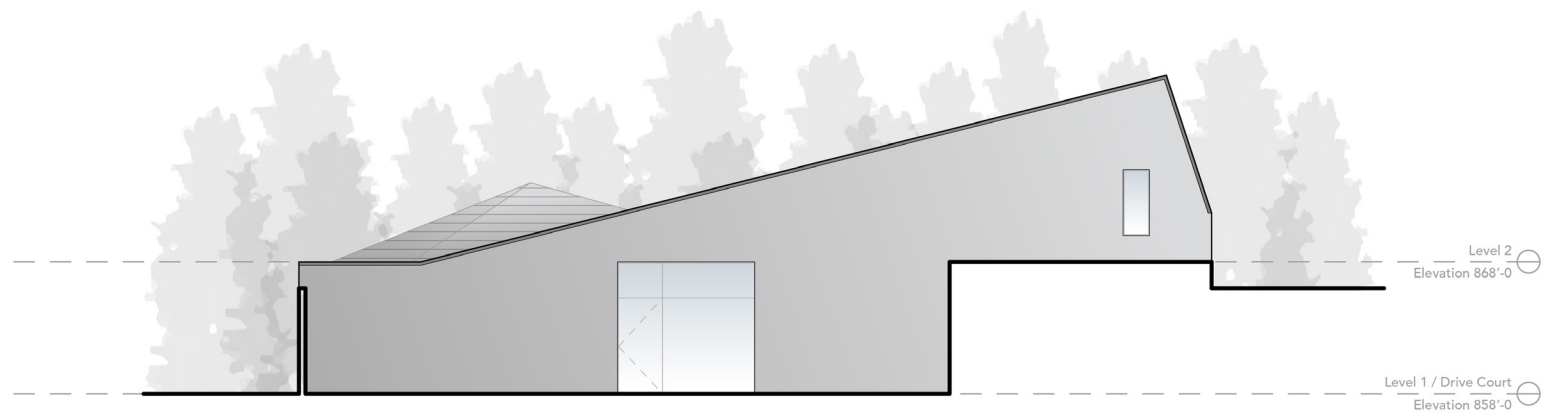
DATE 07/10/2020

0.3

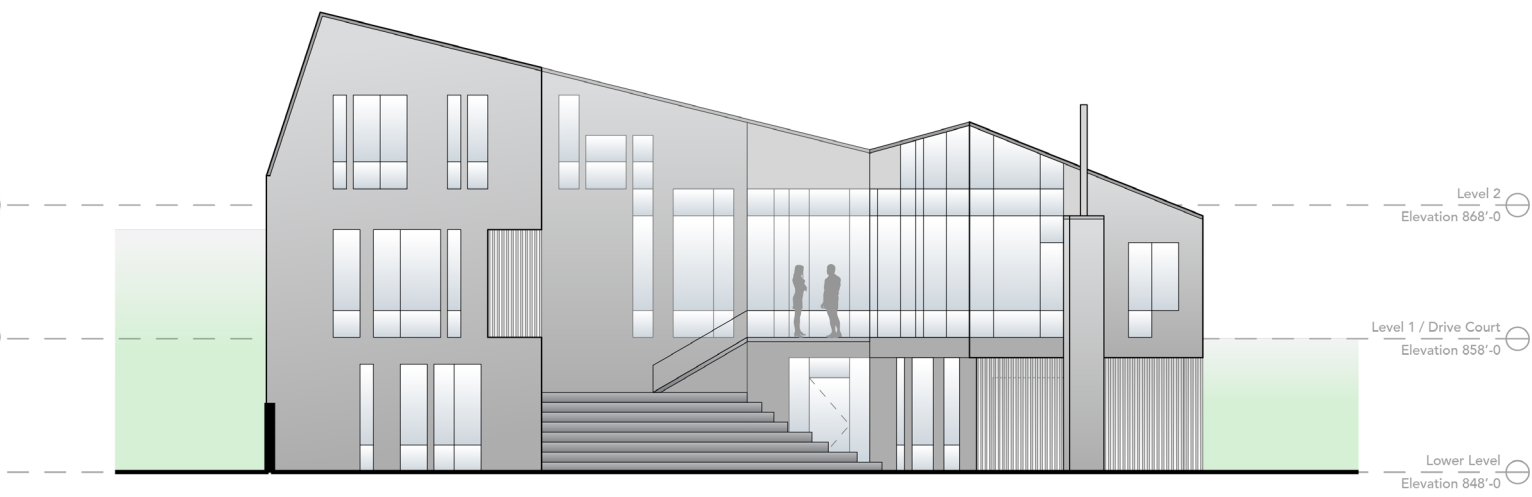
07.25.20



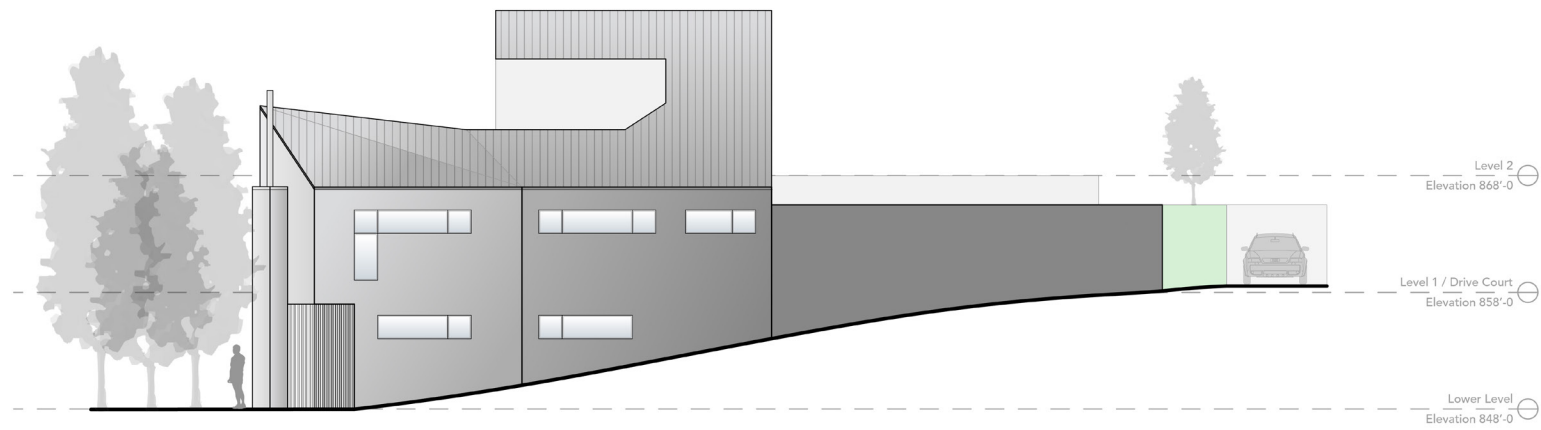
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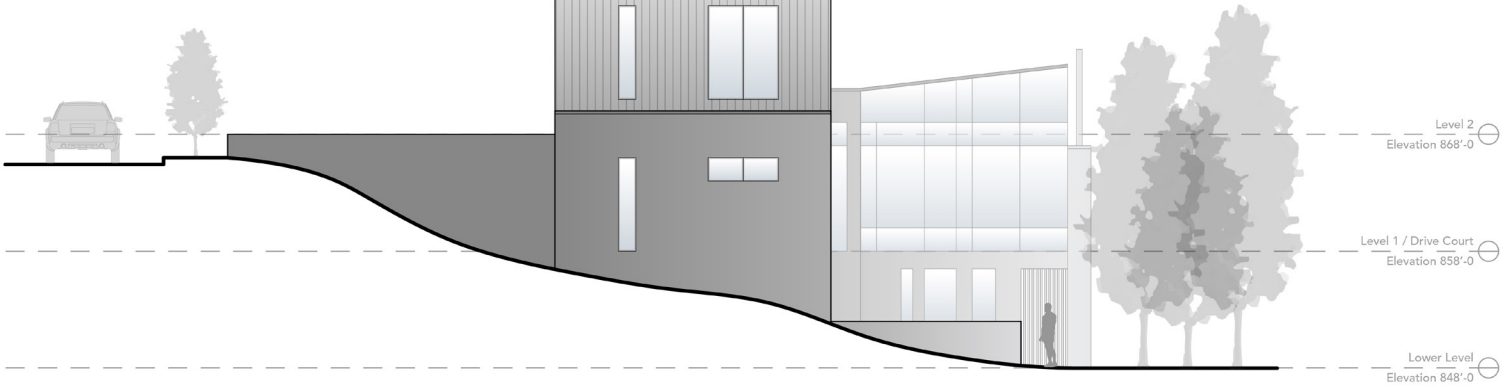
North Elevation



South Elevation



East Elevation



West Elevation

Elevations

285 MCCOY AVENUE

Scale: N.T.S.

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DATE 07/10/2020

0.4

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