



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady
President

Economic Development & Planning Department
James Schimmer, Director

Franklin County Board of Zoning Appeals

Franklin County Courthouse
Commissioner’s Hearing Room – 26th Floor
Columbus, OH 43215

Monday, June 18, 2018
1:30 p.m.

1. Call roll for board members
2. Introduction of staff
3. Swearing in of witnesses
4. Approval of minutes from the May 21, 2018 meeting
5. New Business:

i. VA-3903 – Phil Ashear

Applicant:	Ron Thomas
Owner:	Roger James
Township:	Sharon Township
Location:	392 Rosslyn Ave. (PID #254-151656)
Acreage:	0.190-acres
Utilities:	Public water and private wastewater
Request:	Requesting variances to Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural.

6. Adjournment of Meeting to July 16, 2018



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MINUTES OF THE FRANKLIN COUNTY BOARD OF ZONING APPEALS

Monday, May 21, 2018

The Franklin County Board of Zoning Appeals convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Monday, May 21, 2018.

Present were:

Christopher Baer, Chairperson
Tim Guyton, Vice Chairperson
Paula Armentrout
Nancy Hunter
Joe Martin

Franklin County Economic Development and Planning Department members:

Jenny Snapp, Assistant Director
Matt Brown, Planning Administrator
Phil Ashear, Planner

Chairperson Baer opened the hearing.

The first order of business being the roll call of members, the introduction of Staff, and the swearing in of witnesses. The next item of business was the approval of the minutes from the April 16th, 2018, meeting. Mr. Guyton made a motion to approve the minutes. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

OLD BUSINESS:

The next order of business being Case No. VA-3901. The applicant is Steven Poth. The township is Pleasant Township. The site is located at 6120 Graessle Road and is 1.606 acres in size. It is served by private water and wastewater. The request is for a Variance from Sections 512.02(2) and 512.02(2)(a) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted accessory building size and will not be located to the side or rear of the principal structure in an area zoned Rural. Mr. Guyton made a motion to take Case No. VA-3901 off of the table. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote. Chairperson Baer suggested that the case be reserved until the end of the docket.

NEW BUSINESS:

The next order of business being Case No. VA-3902. The applicant is Jeffrey Falardeau. The township is Norwich Township. It is located at 3550 Sunnybrook Drive. It is 1.130 acres in size and is served by private water and wastewater. And the request is for a Variance from Sections 504.11 and 512.02(2)(a) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure. Mr. Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve Case No. VA-3902 with two conditions: No. 1. The applicant will receive approval of a Certificate of Zoning Compliance. No. 2. The accessory structure will be used for personal storage only. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

OLD BUSINESS:

Chairperson Baer recalled Case No. VA-3901. Mr. Ashear presented the case to the Board of Zoning Appeals. Ms. Armentrout made a motion to dismiss the case without prejudice. It was seconded by Chairperson Baer. The motion was approved by a five-to-zero vote.

There being no further business to come before the Franklin County Board of Zoning Appeals, the hearing was adjourned at 2:00 p.m.

Signature

Minutes of the May 21, 2018, Franklin County Board of Zoning Appeals hearing were approved this 18th day of June, 2018.



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady
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Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT
Board of County Commissioners
June 21, 2018

Case: VA-3903
Prepared by: Phil Ashear

Owner	James Rodgers
Applicant:	Ron Thomas, Rona Homes, LLC
Township:	Sharon Township
Site:	392 Rosslyn Avenue (PID #254-151656)
Acreage:	0.19-acres
Zoning:	Rural (R)
Utilities:	Private water and wastewater
Request:	Requesting variances to Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural.

Summary

The applicant is requesting a Variance to allow for construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural. Staff recommends approval with conditions.

Description of the Request

The subject site is located on the north of Rosslyn Avenue in Sharon Township. The site is currently vacant. The subject site includes land from two vacated rights-of-way. The north end of the site includes land from a vacated public alley and the eastside of the site includes land from a vacated section of Riverside Drive. There is a large curb cut on the southeast corner that was previously part of the intersection between Riverside Drive and Rosslyn Avenue.

The applicant is proposing a 1,978 sq. ft. single-family with an attached garage.

Surrounding Area

The area to the north, which is located in the City of Columbus, is zoned commercial and is developed with multi-family housing. Parcels immediately to the east, west and south of the subject site are zoned Rural in unincorporated Sharon Township. Some parcels east of the subject site are zoned Restricted Urban Residential (R-8) in unincorporated Sharon Township and are developed with single-family residential uses.

The characteristics of this site, specifically lot size and the required development standards, are not appropriate for the Rural district. The Urban Restricted Residential (R-8) or Urban Residential (R-12) districts would be more appropriate for this site. For example, development standards such as, side yard setbacks, required road frontage, and lot coverage, would all be more applicable to the subject site in the (R-12).

Comprehensive Plan

The site is located within the planning area of the Clintonville Neighborhood Plan, which was adopted by the City of Columbus in 2009. The Plan includes a future land-use map that recommends single-family residential for the subject site and the surrounding area.

The proposal includes single-family residential for the property and meets the Plan's recommendations.

Staff Review

Variance from Section 302.041 – Lot Area and Coverage:

- A lot shall not be covered by more than 20% by structure.
 - The proposed development would create a lot coverage of 24%.
 - A Variance of 4% is required.

Variance from Section 302.042 – Minimum Lot Width:

- For a one-family dwelling, there shall be a lot with of One hundred and fifty (150) feet or more at the front line of the dwelling.
 - The lot is 64.9 feet wide at the established building line. A variance of 55.1 feet is required.

Variance from Section 302.043 – Side Yard:

- For dwellings there shall be a total of side yards of twenty (20) or more with a minimum of eight (8) feet or more on one (1) side.
 - The proposed development would include side yard setbacks of 4.8 feet on the right side and 11.4 feet on the left.
 - A total variance of 3.8 feet is required.

Technical Review Committee Agency Review

The Franklin County Engineer's office and Sharon Township jointly commented that the proposed development meets all requirements of an aeration septic system that would discharge into the public storm sewer. However, the Township reserves the right to require the property owner to remove the discharge from the public storm sewer if the septic system fails to meet Franklin County or Ohio EPA standards. Furthermore, the septic system must be removed or abandoned if public sanitary sewer becomes available in the area.

Staff Analysis

Section 810.041 – Approval of Variance:

The Board of Zoning Appeals shall only approve a variance if all of the following findings are made:

- 1) *Special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district;*
 - » The applicant indicated that other parcels in the area are also zoned Rural and have similar characteristics that would prevent reasonable development.
 - » Staff agrees that the lot size of this and other surrounding parcels in the Rural zoning district constitutes a special circumstance.
- 2) *A literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;*

- » The applicant stated that a literal interpretation of the Zoning Resolution would cause deprivation of rights commonly enjoyed by other properties in the same zoning district.
 - » Staff agrees that site characteristics are unique and not like most other properties in the Rural zoning district and that a literal interpretation of the Zoning Resolution would deprive the applicant of rights commonly enjoyed by others in the same zoning district.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
- » Staff does not believe the special circumstance results from any actions made by the applicant.
- 4) *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District;*
- » The applicant stated, and staff agrees, that the proposed development will not confer a special privilege on the applicant.
- 5) *Granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare or injurious to private property or public improvements in the vicinity;*
- » The applicant stated that the proposed development would not adversely affect others.
 - » Staff agrees that granting the variance will not adversely affect the general health, safety or welfare of the community.

Recommendation

Staff’s recommendation is that the BZA approve with conditions a Variance from Sections 302.041, 302.042 and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural. The conditions are as follows:

1. The applicant must apply for and receive approval of a Certificate of Zoning Compliance and Building Permit from the Franklin County Economic Development and Planning Department.
2. The applicant must comply with all applicable regulations regarding septic systems as prescribed by Ohio EPA, Sharon Township and the Franklin County Public Health.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a Variance from Sections 302.041, 302.042 and 302.043 of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3903 with the conditions in staff’s recommendation.

Seconded by: _____

Voting:

Findings of Fact

For your convenience, the following are proposed findings of fact:

If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

_____ moves that the basis for denying the applicant’s request for the Variance from Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution as outlined in the

request for the applicant identified in Case No. VA-3903 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

Voting:

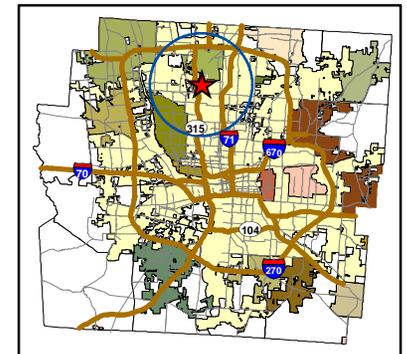


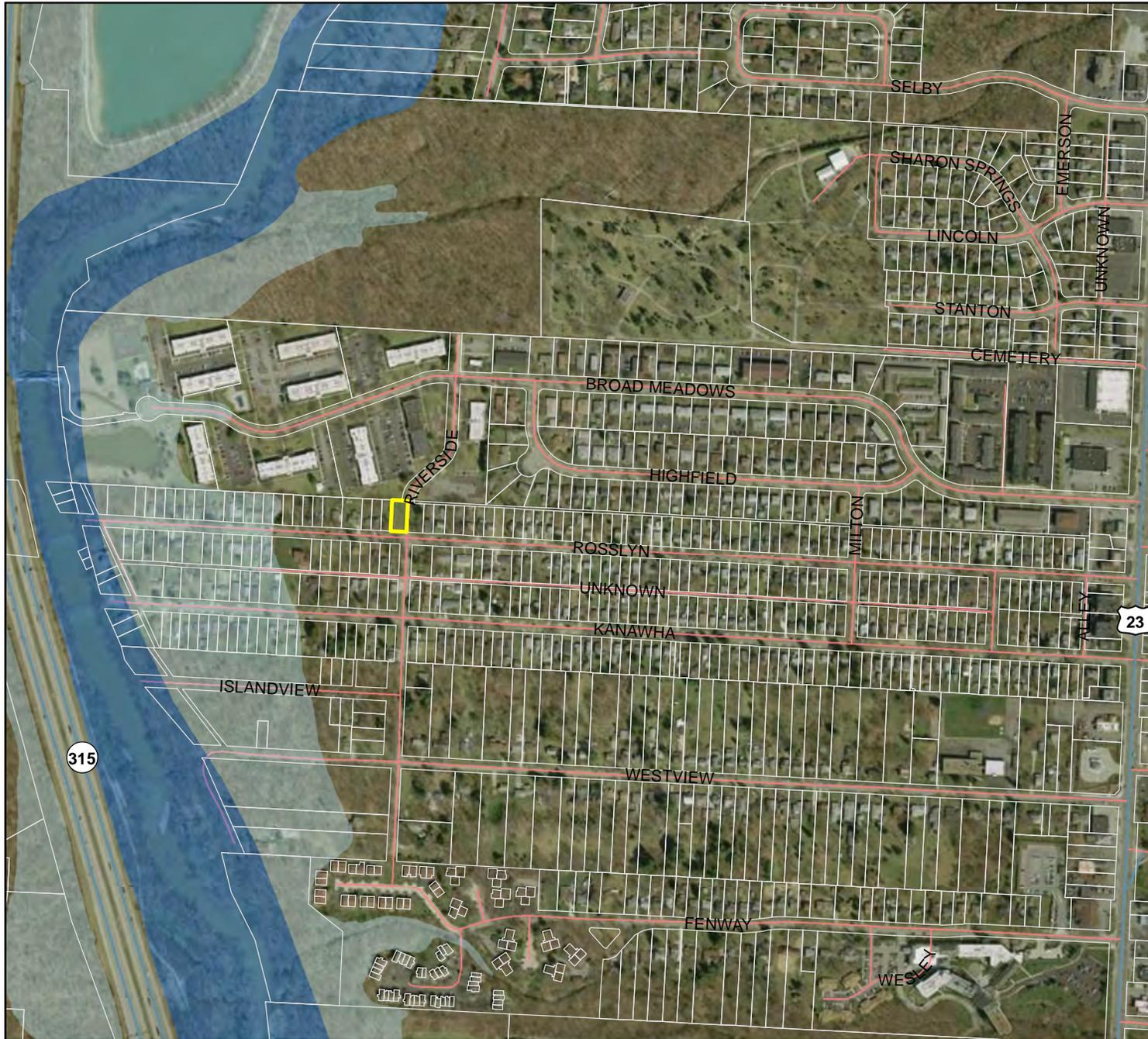
VA-3903

Requesting variances to Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural.

Acres: 0.19
Sharon Township

-  392 Rosslyn Ave
-  Parcels
-  Streets



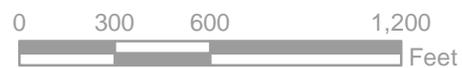
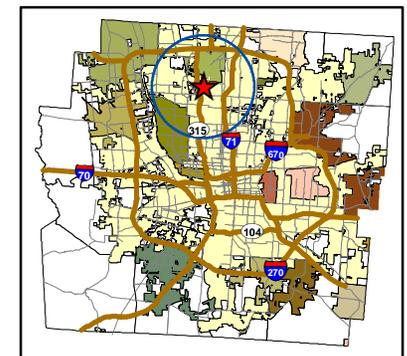


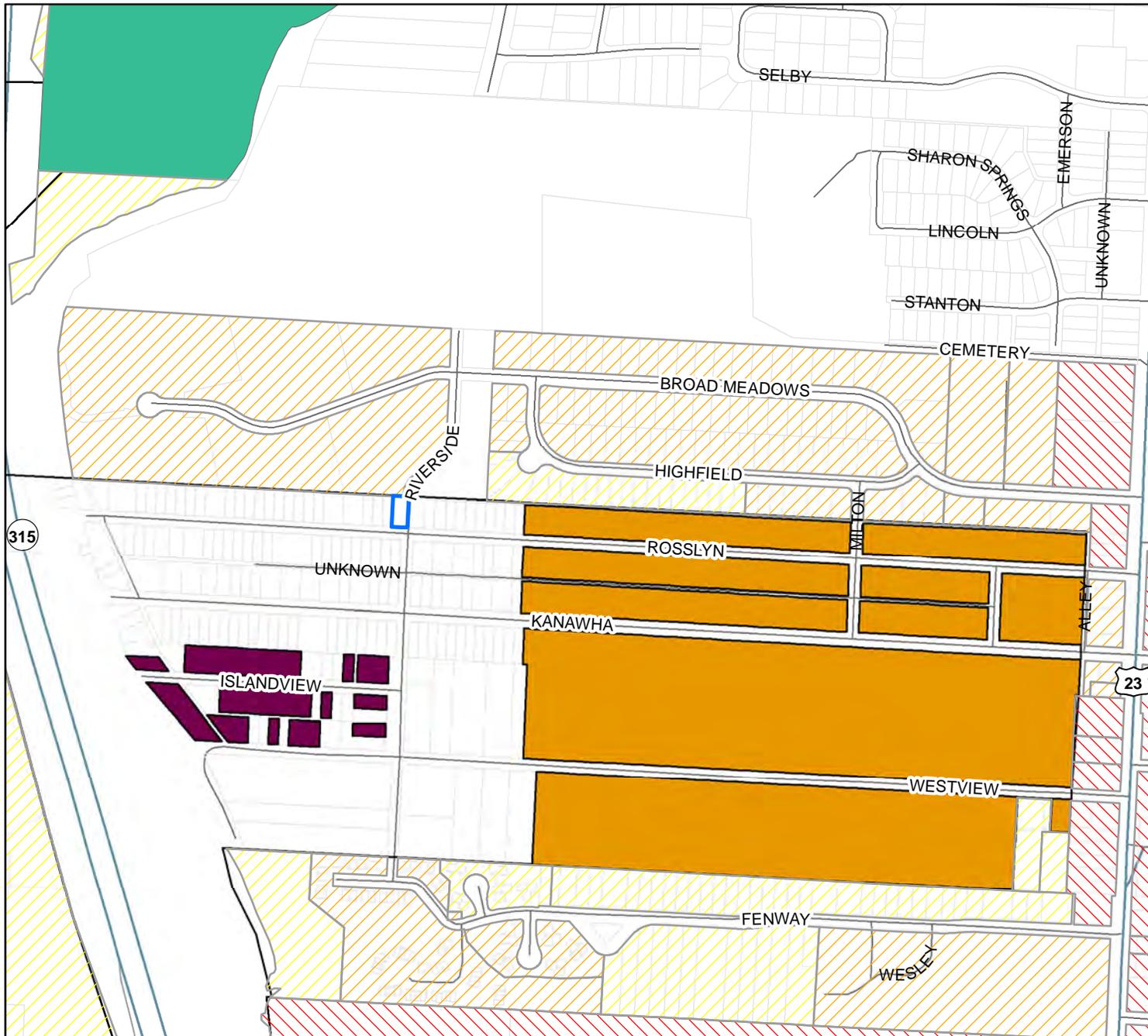
VA-3903

Requesting variances to Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural.

Acres: 0.19
Sharon Township

-  392 Rosslyn Ave
-  Parcels
-  Floodway Fringe (100 year)
-  Floodway





VA-3903

Requesting variances to Sections 302.041, 302.042, and 302.043 of the Franklin County Zoning Resolution to allow for the construction of a home that would exceed maximum lot coverage, fail to meet the required lot width, and fail to meet side yard setbacks in an area zoned Rural.

Acres: 0.19
Sharon Township

Legend

392 Rosslyn Ave

Parcels

Columbus Zoning

Residential

Multi-family

Commercial

Excavation/Quarrying

Franklin County Zoning

Rural

Restricted Urban Residential

Suburban Apartment Residential

