



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, December 17, 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 November 19, 2018 meeting
5. Old Business:

i. VA-3913 – Phil Ashear

| | |
|-------------------------|--|
| Owner/Applicant: | Ray Simmons |
| Township: | Madison Township |
| Location: | 3311 Cross Keys Rd. (PID #180-001630) |
| Acreage: | 0.73-acres |
| Utilities: | Private water and wastewater |
| Request: | Requesting a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural. |

6. New Business:

i. VA-3929 – Phil Ashear

| | |
|-------------------------|--|
| Owner/Applicant: | State of Ohio |
| Township: | Clinton Township |
| Site: | 2050 Kenny Rd. (PID# 130-011841) |
| Acreage: | 12.420-acres |
| Request: | Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street. |

ii. VA-3931 – Brad Fisher

| | |
|-------------------------|---|
| Owner/Applicant: | Donna and Bryant Karnes |
| Township: | Pleasant Township |
| Site: | 5408 Norton Rd. (PID# 230-002651) |
| Acreage: | 2.699-acres |
| Utilities: | Private water and public wastewater |
| Request: | Requesting a Variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres that does not provide for 150 feet of road frontage, and create one lot that fails to meet the minimum lot size requirement of 2.5-acres in an area zoned Rural. |

iii. VA-3932 – Phil Ashear

| | |
|-------------------------|--|
| Owner/Applicant: | Decorus Vita, LLC |
| Township: | Sharon Township |
| Location: | 456 Rossyln Ave. (PID #254-151646) |
| Acreage: | 0.114-acres |
| Utilities: | Public water and private wastewater |
| Request: | Requesting a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage. |

7. Adjournment of Meeting to January 22, 2019



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

Economic Development & Planning Department
James Schimmer, Director

**MINUTES OF THE
FRANKLIN COUNTY BOARD OF ZONING APPEALS**

Monday, November 19, 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, November 19, 2018.

Present were:

Christopher Baer, Chairperson
Nancy Hunter
Tim Guyton
Joe Martin

Franklin County Economic Development and Planning Department members:

Matt Brown, Planning Administrator
Brad Fisher, Planner
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 October 15, 2018, meeting. Mr. Martin made a motion to approve the minutes of the October 15, 2018, meeting. It was seconded by Ms. Hunter. The motion was approved by a vote of three yeases and one abstention.

NEW BUSINESS:

The next order of business being Variance Application Case No. VA-3922. The applicant is Shelly & Sands, Inc. The agent is Tony Ruggiero. The township is Hamilton Township. The site is located at 5636 Lockbourne Road. It is 106 acres in size. The applicant is requesting a Conditional Use from Sections 610.06(7) and 610.091(2) of the Franklin County Zoning Resolution to allow the placement of fill in the floodway and floodway fringe. Mr. Brad Fisher read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to table Case No. CU-3922 at the applicant's request to the January 22, 2019, meeting. It was seconded by Mr. Martin. The motion was approved by a four-to-zero vote.

The next order of business being Variance Application Case No. VA-3924. The applicant is Stanley and Lisa Vivens. The township is Franklin Township. The site is located at 2647 Clime Road. It is 0.445 acres in size, and it is serviced by public water and private wastewater. The applicant is requesting a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory structure that would exceed the maximum square footage on a lot smaller than 1 acre in an area zoned Rural. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve Case No. VA-3924. It was seconded by Mr. Martin. The motion failed by a four-to-zero vote. The next order of business being the adoption of Findings of Fact. Mr. Guyton made a motion to adopt Findings of Fact that the reason for denying the applicant's requested Variance is that the applicant failed to satisfy that criteria for granting a Variance under Section 810.041 of the Franklin County Zoning Resolution. The motion was seconded by Mr. Martin. The motion was approved by a four-to-zero vote.

The next order of business being Variance Application Case No. VA-3925. The applicant is Estes Express Lines and the owner is O'Connor Company, Inc. The township is Franklin Township. The property is located at 1009 Frank Road. It is 31.050 acres in size and is serviced by public water and wastewater. The applicant is requesting a Variance from Sections 670.068(a), 670.088(a), 670.088(g)(1), 670.00(g)(3)(a), 670.088(g)(3)(b), 670.088(g)(3)(c), 670.00(g)(3)(d), 670.0812(a), 670.0812(b) of the Franklin County Zoning Resolution to allow for an expansion of more than 50 percent to a nonconforming building that would fail to meet standards for the building location, and landscaping and screening requirements in an area zoned Limited Industrial and subject to the Smart Growth Overlay. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve a Variance from Section 670.088(a) of the Franklin County Zoning Resolution. It was seconded by Mr. Martin. The motion failed by a four-to-zero vote. The next order of business being the adoption of Findings of Fact. Mr. Guyton made a motion to adopt Findings of Fact that the reason for denying the applicant's requested Variance is that the applicant failed to satisfy the criteria for granting a Variance under Section 810.041 of the Franklin County Zoning Resolution. The motion was seconded by Mr. Martin. The motion was approved by a four-to-zero vote. Mr. Guyton made a motion to approve a Variance from Sections 670.088(a), 670.088(g)(1), 670.088(g)(3)(a), 670.088(g)(3)(b), 670.088(g)(3)(c), 670.00(g)(3)(d), 670.0812(a), 670.0812(b) of the Franklin County Zoning Resolution. It was seconded by Mr. Martin. The motion was approved by a four-to-zero vote.

The next item of business being Variance Application Case No. VA-3926. The applicant and owner is Kathryn Hawkins. The township is Clinton Township. The site is located at 999 East Cooke Road. It is 1.98 acres in size and is serviced by public water and private wastewater. The applicant is requesting a Variance from Sections 512.02(1), and 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would exceed the maximum number and size of accessory buildings on a lot between 1 and 2 acres in an area zoned Rural. Mr. Brad Fisher read and presented the case to the Franklin County Board of Zoning Appeals. Ms. Hunter made a motion to approve a Variance from Sections 512.02(1) and 512.02(2) of the Franklin County Zoning Resolution with two Staff conditions. The motion was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote.

The next item of business being Variance Application Case No. VA-3927. The owner and applicant is the Reese Community Baptist Church. The township is Hamilton Township. The site is located at 1920 Todd Avenue. It is 0.270 acres in size. The applicant is requesting a Variance from Sections 110.041, 512.02(2), and 512.02(2)(j) of the Franklin County Zoning Resolution to allow the construction of an accessory building on a nonconforming lot that does not meet the lot width requirement, would not meet the required side yard setback, and would be located on parcels with no principal structure in an area zoned Rural. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Martin made a motion to approve a Variance from Sections 510.02(2) and 512.02(2)(j) and 110.041 of the Franklin County Zoning Resolution. The motion was seconded by Mr. Guyton. The motion failed by a four-to-zero vote. The next order of business being the adoption of Findings of Fact. Mr. Martin made a motion to accept Findings of Fact that the reason for denying the applicant's requested Variance from

Sections 512.02(2), 512.02(2)(j), and 110.041 is that the applicant failed to satisfy the criteria for granting a Variance under Section 810.041 of the Franklin County Zoning Resolution. The motion was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote.

The next item of business being Variance Application Case No. VA-3928. The owner is Calvin Lemon. The township is Franklin Township. The site is located at 1333 Wilson Road. The site is 0.885 acres in size and is serviced by private water and wastewater. The applicant is requesting a Variance from Sections 512.02(1) and 512.02(2) to allow the construction of an accessory structure that would exceed the maximum number and size of accessory buildings on a lot smaller than 1 acre in size in an area zoned Rural. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to table Case No. VA-3928 to the January 22, 2019, meeting at the request of the applicant. it was seconded by Mr. Martin. The motion was approved by a four-to-zero vote.

The next item of business being Variance Application Case No. VA-3930. The applicant is Kevin Day. The township is Madison Township. The site is located at 3867 Noe Bixby Road. It is 1.070 acres in size and is served by private water and wastewater. The applicant is requesting a Variance from Sections 512.02(2)(a) and 610.05(3) of the Franklin County Zoning Resolution to allow for the construction of an accessory building that would not be located to the side or rear of the principal structure and would be partially located in the floodway fringe in an area zoned Limited Suburban Residential (R-2). Mr. Brad Fisher read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Martin made a motion to approve a Variance from Sections 610.05(3) of the Franklin County Zoning Resolution, and Section 4.2-1(c) of the National Flood Insurance Program Regulations. The motion was seconded by Mr. Guyton. The motion failed by a four-to-zero vote. The next order of business being the adoption of Findings of Fact. Mr. Martin made a motion to adopt Findings of Fact that the reason for denying the applicant's requested Variances is that the applicant failed to satisfy the criteria for granting a Variance under Section 810.041 of the Franklin County Zoning Resolution. The motion was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote. Mr. Martin made a motion to approve a Conditional Use Section 512.02(d) of the Franklin County Zoning Resolution with two Staff conditions. The motion was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote. Mr. Martin made a motion to approve a Variance from Sections 610.06(2) and 610.06(2) and 610.06(7) of the Franklin County Zoning Resolution. The motion was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote.

The next item of business being Conditional Use Application Case No. CU-3923. The owner is Mark Tackett. The township is Madison Township. The site is located at 5544 Saltzgaber Road. The site is 1.00 acres in size and is serviced by private water and wastewater. After calling the case at the beginning of the docket and again at the end of the docket with no response, Mr. Baer made a motion to dismiss the case without prejudice for lack of prosecution from the applicant. The motion was seconded by Mr. Martin. The motion was approved by a four-to-zero vote.

There being no further business to come before the Franklin County Board of Zoning Appeals, Mr. Martin made a motion to adjourn the hearing. The motion was seconded by Mr. Guyton. The motion was approved by unanimous vote. The proceedings were adjourned at 5:25 p.m.

Signature

Minutes of the November 19, 2018, Franklin County Board of Zoning Appeals hearing were approved this 17th day of December, 2018.



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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
December 17, 2018

Case VA-3913

Prepared by: Phil Ashear

| | |
|-------------------------|--|
| Applicant/Owner: | Ray Simmons |
| Township: | Madison Township |
| Site: | 3311 Cross Keys Road (PID # 180-001630) |
| Acreage: | 0.73 acres |
| Zoning: | Rural |
| Utilities: | Private water and wastewater |
| Request: | Requesting a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural. |

Summary

The applicant is requesting a Variance to construct a 120 sq. ft. accessory structure that would be placed on an existing 2,250 sq. ft. paved patio. This development would bring the total square footage of accessory structures to 902 sq. ft. A Variance of 182 sq. ft. is required.

The request fails to meet the criteria for granting a Variance. Staff recommends *denial* of the request.

Description of the Request

The subject site includes an approximately 1,800 sq. ft. single-family home and an approximately 782 sq. ft. accessory structure that was built in 1999. The proposed development would include a 120 sq. ft. accessory structure that would be placed at the southwest corner of an existing paved patio located to the rear of the principal structure that was built in 2005. The existing paved patio and the existing accessory structure were both developed prior to the purchase of the property by the current owner, which was in 2014.

History

This case was originally placed on the September BZA agenda but the applicant requested a tabling to December due to health problems. The tabling fee was paid but the applicant has not submitted any new material since the original submission.

Surrounding Area

The subject site is located on the south side of Cross Keys Road in the Marwick Estates Subdivision. This subdivision, platted in 1957, is zoned Rural in unincorporated Madison Township. State Route 33 is located approximately 240 feet to the south and I-270 is located approximately 0.5 miles to the east.

Comprehensive Plan

The subject site is located within the planning area of the Blacklick-Madison Ara Plan, which was adopted in 2011. The Plan includes a future land use map that recommends Medium Density Residential uses of between two (2) and eight (8) units per acre.

The proposed development does not change the existing residential land use and does not conflict with this recommendation.

Staff Review

Variance from Section 512.02(2) – Location, Number, and Size of Residential Accessory Buildings:

- Accessory buildings on lots smaller than an acre may not exceed 720 square feet.
 - An approximately 782 sq. ft. accessory structure already exists on the site. The proposed accessory structure would be 120 sq. ft. which results in a total of 902 sq. ft. of accessory structures on the site.
 - A Variance of 182 sq. ft. is required.

Technical Review Agencies

No technical review agencies expressed concerns.

Staff Analysis - Section 810.041:

The Franklin County Zoning Resolution identifies five criteria in Section 810.041 that must be satisfied to approve a variance request:

- 1) *That special conditions and circumstances exist which are peculiar to the structure/property involved which are not applicable to other structures/property in the same zoning district;*
 - » Staff believes that the existing paved patio to the rear of the property that was developed previous to the purchase of the site by the current owner does not constitute a special circumstance.
- 2) *That 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 would not allow the applicant to develop.
 - » Staff believes that a literal interpretation would not create hardship as there is an existing accessory structure on the property that already exceeds the 720 sq. ft. maximum.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
 - » The existence of the 2,250 sq. ft. paved pad is not a result of action taken by the applicant; however, staff believes that this does not constitute a special circumstance.
- 4) *That granting the variance requested will not confer on the applicant special privileges that are denied by this Zoning Resolution to other lands or structures in the same Zoning District;*
 - » The applicant stated that granting the Variance would not confer special privileges.
 - » Staff believes granting the Variance would confer a special privilege as no special circumstance exists.
- 5) *That 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 be injurious to private property in the vicinity;*
 - » The applicant stated and staff agrees that granting the Variance would not adversely affect the health or safety of persons in the vicinity.

Recommendation

Staff recommendation is that the BZA deny a Variance to Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural.

Resolution

For your convenience, the following is a proposed resolution for staff’s recommendation of denial for a Variance from Section 512.02(2):

(a) **Proposed Resolution for Request:**

_____ moves to approve a Variance from Section 512.02(2) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3913.

Seconded by: _____

Voting:

Findings of Fact

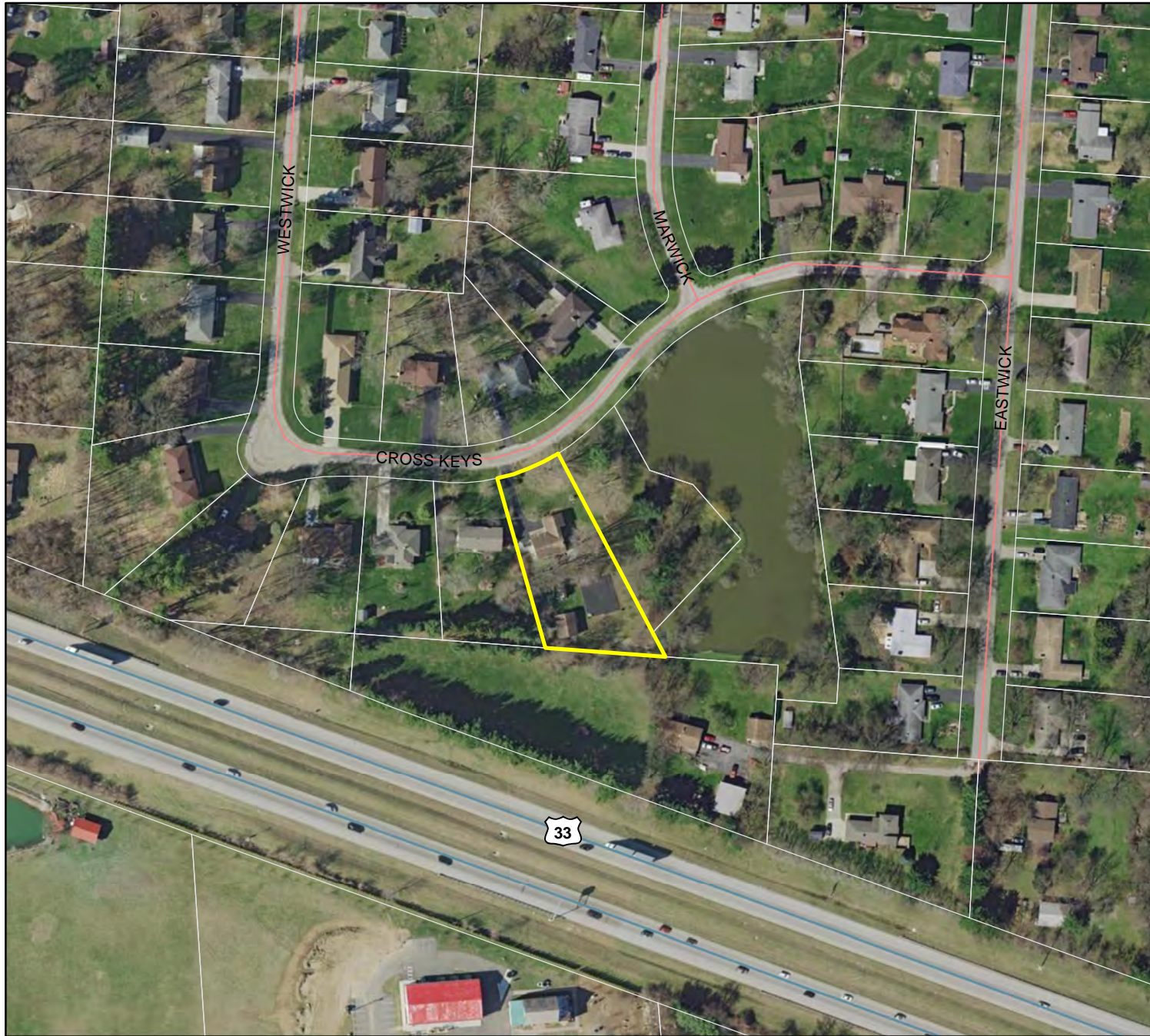
For your convenience, the following are proposed findings of fact:

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 a variance from Section 512.02(2) of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3913 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____





Voting:

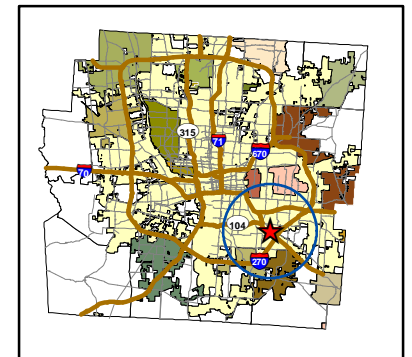


VA-3913

Requesting a Variance from Sections 512.02(1) and 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted accessory building number and size in an area zoned Rural.

Acres: 0.730
Township: Madison

-  3311 Cross Keys Road
-  Parcels
-  US Route
-  Streets






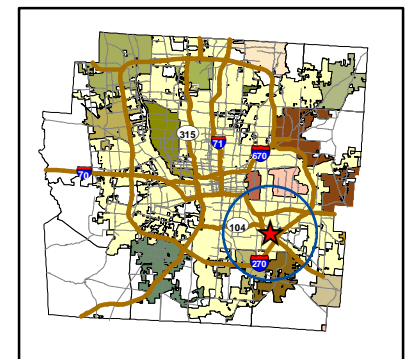


VA-3913

Requesting a Variance from Sections 512.02(1) and 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted accessory building number and size in an area zoned Rural.

Acres: 0.730
Township: Madison

-  3311 Cross Keys Road
-  Parcels
-  Streets





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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
December 17, 2018

Case: VA-3929

Prepared by: Phil Ashear

| | |
|-------------------|--|
| Owner: | The Ohio State University |
| Applicant: | Sandra LaFontaine |
| Township: | Clinton Township |
| Site: | 2050 Kenny Road (PID #130-011841) |
| Acreage: | 12.42 |
| Zoning: | Rural |
| Utilities: | Public Water and Private Wastewater |
| Request: | Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street. |

Summary

Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street. The request meets the criteria for granting a Variance. Staff recommends approval with conditions of the request.

Description of the Request

The subject site is located on the west side of Kenny Road in unincorporated Clinton Township. The use on the parcel is the Ohio State University’s Morehouse Medical Complex. The parcel includes two (2) structures and several interior circulation aisles and surface parking lots. The requested Variance is for two (2) proposed wall signs that would not face a street right-of-way. The proposed signs would face interior drive aisles.

Surrounding Area

The subject site is located in the central part of the County just west of State Route 315 in unincorporated Clinton Township. Parcels in the surrounding area are primarily research park and institutional in the City of Columbus. Other unincorporated parcels in the area are zoned Suburban Office and Light industrial. Uses on those parcels are primarily research and office facilities associated with the Ohio State University and some small storage units to the south.

Comprehensive Plan

The site is located within the planning area of the Clinton West Neighborhood Plan, which was adopted in 2012. The Plan includes a future land-use map that recommends offices and small-scale manufacturing for the area.

The proposal includes signage associated with office and research park uses for the property. The proposal does not conflict with the Plan's recommendations.

Staff Review

Variance from Section 541.03(2) – Wall Signs:

- An activity may display wall signs for each wall that faces a public street.
 - Two (2) proposed signs would face interior drive aisles rather than a public street.
 - A Variance to allow wall signs that do not face a public street is required.

Technical Review Committee Agency Review

No Technical Review Committee Agencies expressed concern.

Staff Analysis

The Franklin County Zoning Resolution identifies five (5) criteria in Section 810.041 that must be satisfied to approve a variance request.

- 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 stated that the existence of more than one building that serves the public and the interior connectivity of the site constitute a special circumstance.
 - » Staff agrees that the interior connectivity of the site, as well as the Medical Research Campus land use on a Rural lot, constitute 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 would deprive the applicant of rights due to the structures facing parking areas and circulation aisles rather than a public street.
 - » Staff agrees that a literal interpretation would deprive the applicant of rights because of the character of the area and the size of the subject parcel.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
 - » The applicant stated that signage above entries is typical of other buildings in the area. Furthermore, the structures and entries existed prior to the current owner's purchase of the property in 2005.
 - » Staff agrees that signage above entry ways is standard and that the institutional character of the area is not the result of 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 granting the variance would not confer special privileges because the proposed development would be consistent with other development in the area.
- 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 and staff agrees that the proposed development would not adversely affect the health or safety of persons residing or working in the area.

Recommendation:

Staff's recommendation is that the Board of Zoning Appeals **approve with conditions** a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street. The conditions are as follows:

1. The applicant must apply for and receive approval of a Certificate of Zoning Compliance with the Franklin County Economic Development and Planning Department.

2. The applicant must apply for and receive approval of a Building permit with the Clinton Township Building Department, if required.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution:

_____ moves to approve a variance from Section 541.03(2) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3929 with staff's recommended conditions.

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 Section 541.03(2) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3929 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

Voting:



25'-2"
40"
40"
40"
40"
Martha **C-7**
Morehouse
Outpatient
Care
New wall mounted building name



10'-8"
31"
2050
New wall mounted address **C-6**

25'-9"
Morehouse Pavilion
New wall mounted building name **C-5**

23'-8"
24"
55'-6"
8'-2"
Morehouse Tower **C-3**
New wall mounted building name
C-2
New wall mounted logo sign
-Remove existing and recycle/discard off site

5'-6"
11'-9"
2050
THE OHIO STATE UNIVERSITY
WEXNER MEDICAL CENTER
Martha Morehouse
Outpatient
Care
New monument sign
-Remove existing and recycle/discard off site **C-1**



**OSUWMC - Morehouse
New Ext.Signs**
-10- 10/01/18 Sign attachment
SITE C



Project Address:
2050 Kenny Road
Columbus, Ohio 43221
UL Permit Required
O Yes
O No
Install as per NEC 600
-Grounding
-Banding

Project Layout
O Approved
O Approved as Noted

Approval Signature _____

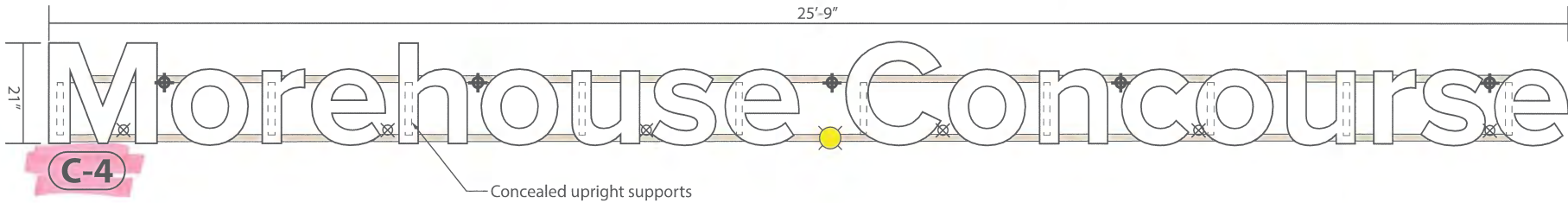
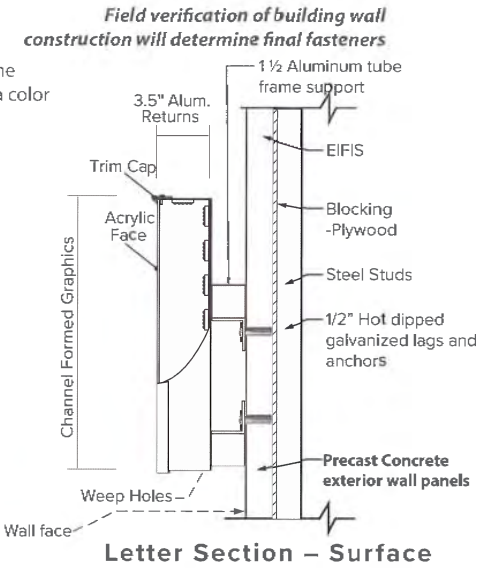
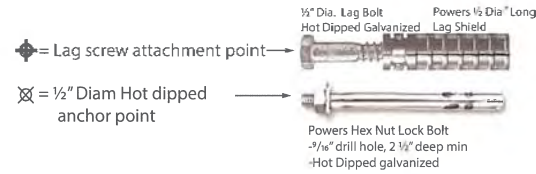
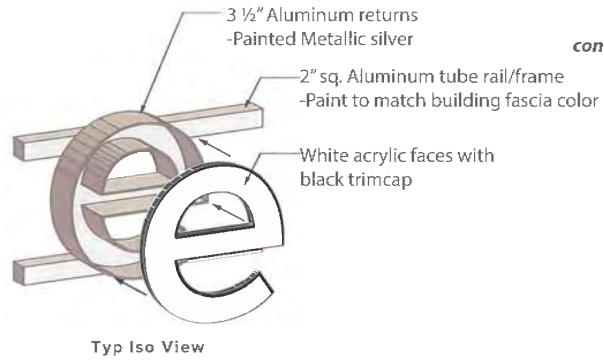
Sales: MH
Design: T. Nichols
Dwg: #17-300

1



Photo overlay
FIELD SURVEY LOCATION BEFORE FABRICATION TO CONFIRM EXISTING DIMENSIONS/CONDITIONS

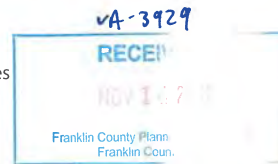
Power penetrations



Wall Mounted internally illuminated channel letters, Qty: 1 set

- Font" Proxima Nova Bold, 24" Cap height with 3 1/2 deep returns and translucent white acrylic faces retained with black trimcap
- LED-Illuminated
- Letters attach to welded aluminum 2" Square tube mounting chassis/rails
- Mounting tube structure to be painted to match building wall color
- Assembled chassis with letters attaches to walls with screws through welded angle brackets into pre-drilled holes
- CSC to furnish and install, final connection to electrical by GC, electric service to sign location by GC

- Black Vinyl and Trim Cap
- Paint to match existing building wall color
- White acrylic
- Hot Plata" Metallic MP 23468 Satin Finish(Returns)



**OSUWMC - Morehouse
 New Ext.Signs**

-10-10/01/18 Sign attachment



**Project Address:
 2050 Kenny Road
 Columbus, Ohio 43221**

UL Permit Required
 Yes
 No

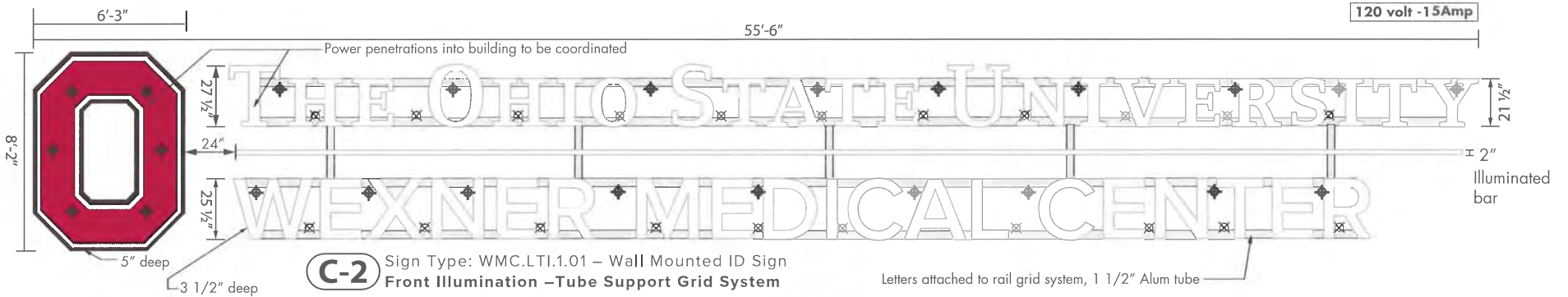
Install as per NEC 600
 -Grounding
 -Bonding

Project Layout
 Approved
 Approved as Noted

Approval Signature _____

Sales: **AH**
 Design: **T. Nichols**
 Dwg: **#17-300**

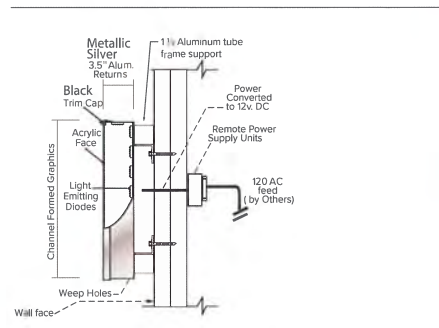
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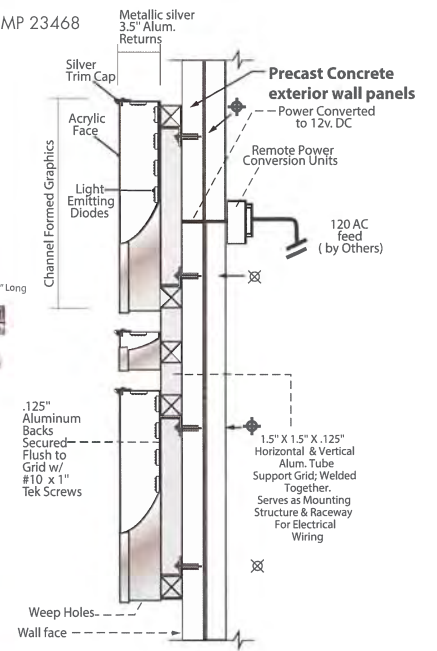
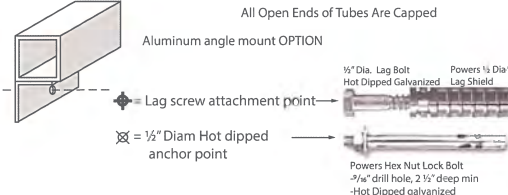
C-2 Sign Type: WMC.LTI.1.01 – Wall Mounted ID Sign
 Front Illumination – Tube Support Grid System

Morehouse, Qty: 1 sign required,
 Attaches to building at top of fascia, NTS

- Paint TBD to match building wall color
- Black Vinyl and Trim Cap
- Red Trans Vinyl
- White acrylic
- Hot Plata™ Metallic MP 23468 Satin Finish(Returns)



Block O – 5" deep internally illuminated LED channel letter.
 White face with PMS 200 Red O with Black Satin Finish
 -1.5" Aluminum tube for structure and power chase.
 Paint match to wall color. Flat finish.
 -The Ohio State University, Wexner Medical Center and rule
 3 1/2" deep internally illuminated LED channel letter.
 Matthews "Hot Plata" Metallic MP 23468 Satin Finish



C-3
New wall mounted building name, QTY: 1
 -Internal LED illumination
 -Rail mounting system, paint rails to match building wall color
 -Attaches to internal wall/fascia studs with extra long tech screws

VA-3929
RECEIVED
 1 16 2018
 Approval Signature



OSUWMC - Morehouse
New Ext.Signs

-10-10/01/18 Sign attachment



Project Address:
 2050 Kenny Road
 Columbus, Ohio 43221

UL Permit Required

Yes

No

Install as per NEC 600

-Grounding

-Bonding

Project Layout

Approved

Approved as Noted

Sales: **MH**

Design: **T. Nichols**

Dwg: **#17-300**








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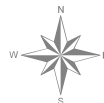
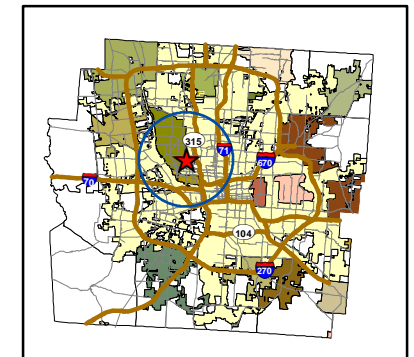


VA-3929

Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street.

Acres: 12.420
Township: Clinton

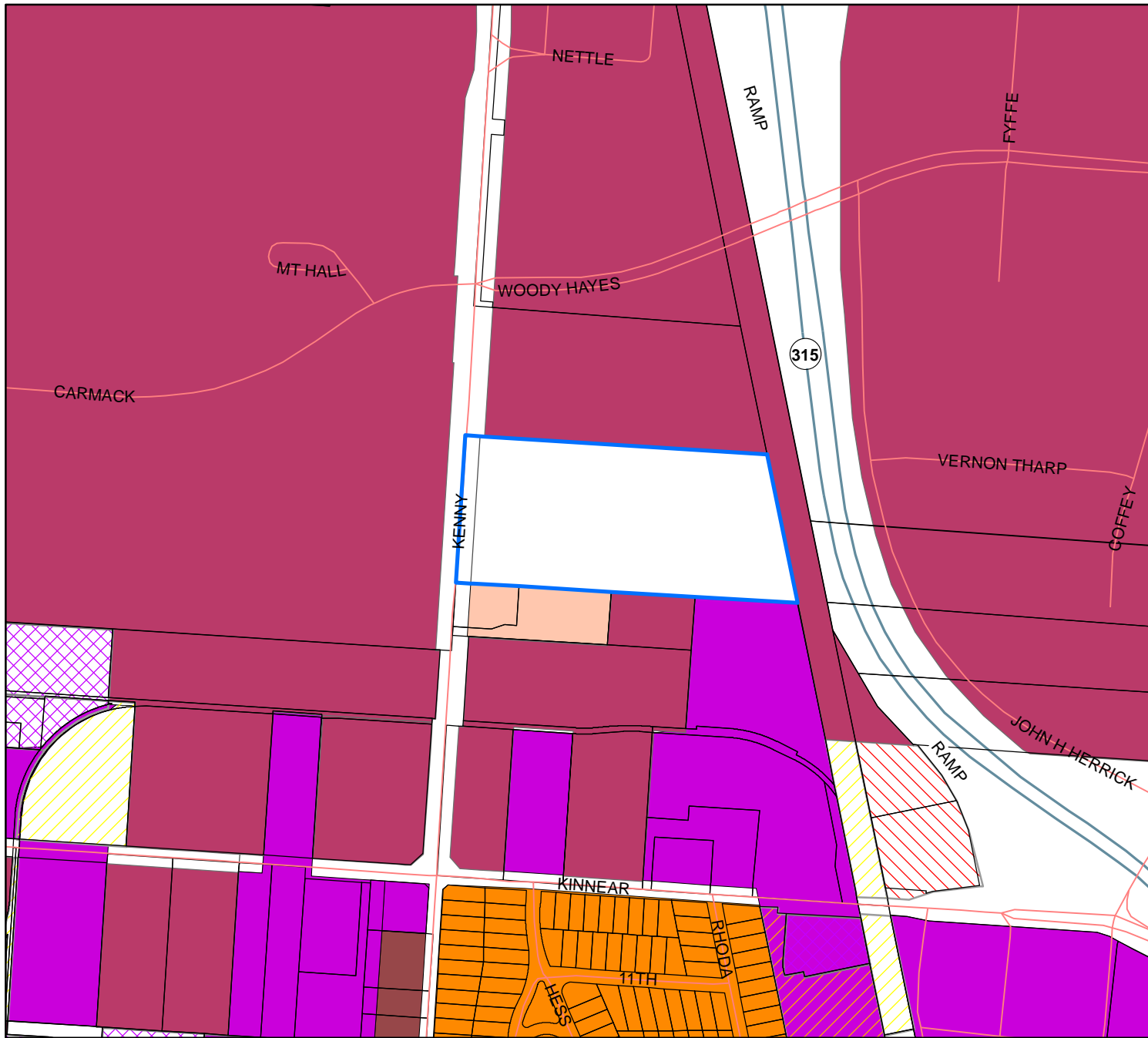
-  2050 Kenny Road
-  Parcels
-  State Route
-  Streets
-  Ramp
-  Floodway Fringe (100 year)
-  Floodway



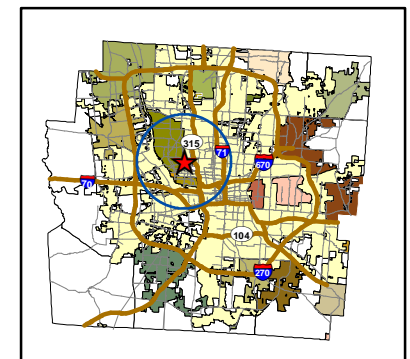
VA-3929

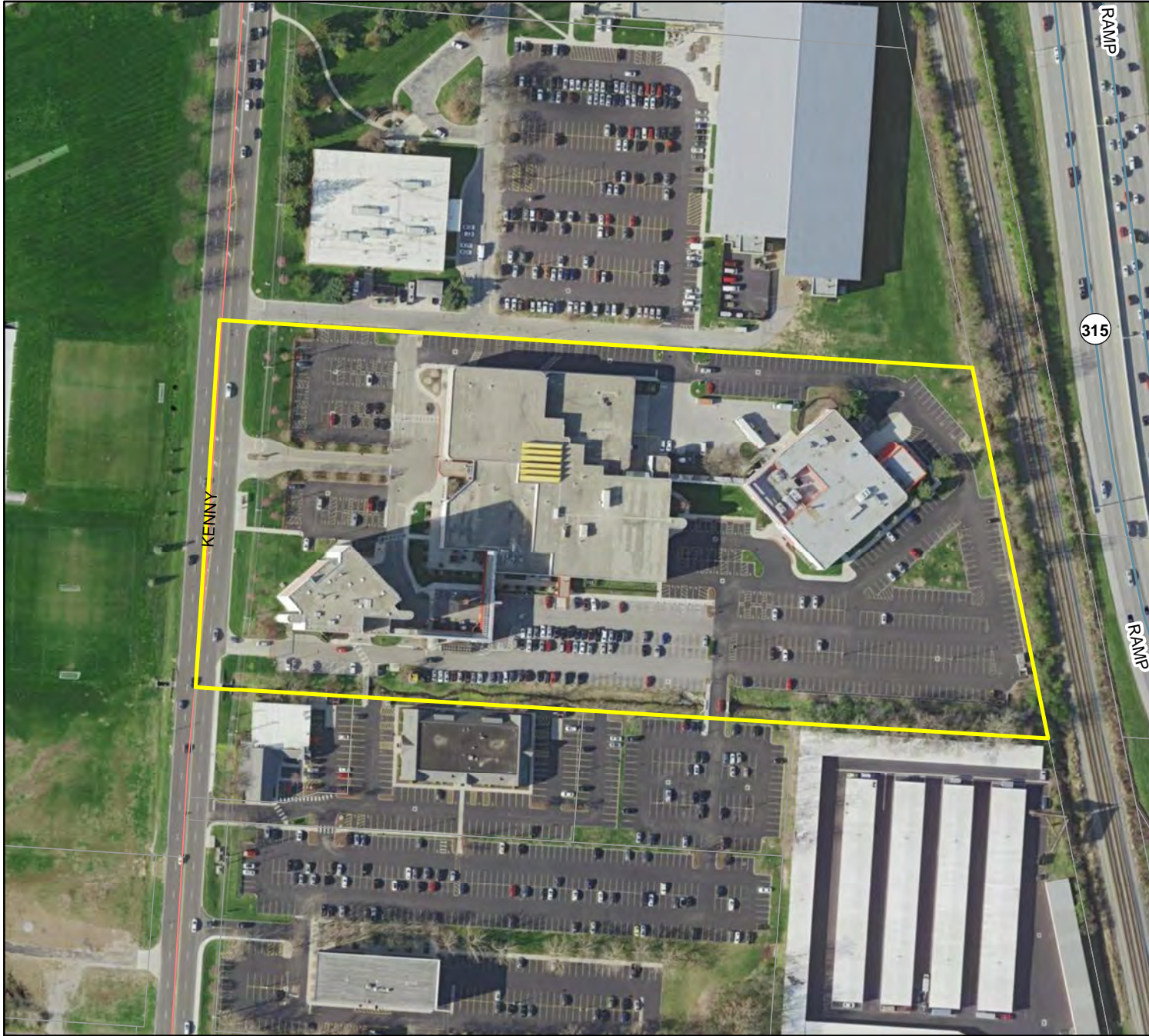
Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street.

Acres: 12.420
Township: Clinton



- 2050 Kenny Road
 - Parcels
 - State Route
 - Streets
 - Railroad
- Franklin County Zoning**
- Exceptional Use
 - Limited Industrial
 - Suburban Apartment Residential
 - Restricted Urban Residential
 - Rural
 - Suburban Office and Institutional
- Columbus Zoning**
- Residential
 - Multi-family
 - Commercial
 - Manufacturing
 - Research Park








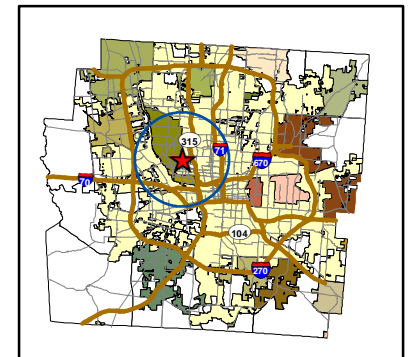


VA-3929

Requesting a Variance from Section 541.03(2) of the Franklin County Zoning Resolution to allow the construction of two (2) wall signs that would not face a public street.

Acres: 12.420
Township: Clinton

-  2050 Kenny Road
-  Parcels
-  State Route
-  Streets
-  Railroad





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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
December 17, 2018

Case: VA-3931

Prepared by: Brad Fisher

| | |
|-------------------------|---|
| Owner/Applicant: | Bryant and Donna Karnes |
| Township: | Pleasant Township |
| Site: | 5408 Norton Rd. (PID #230-002651) |
| Acreage: | 2.699-acres |
| Zoning: | Rural |
| Utilities: | Private water and public wastewater |
| Request: | Requesting a Variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres that does not provide for 150 feet of road frontage, and create one lot that fails to meet the minimum lot size requirement of 2.5-acres in an area zoned Rural. |

Summary

The applicant is requesting a Variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres that does not provide for 150 feet of road frontage, and create one lot that fails to meet the minimum lot size requirement of 2.5-acres in an area zoned Rural. Staff recommends approval with conditions.

Description of the Request

The subject site is located on the south side of Norton Road, east of Harrisburg-Georgesville Road in the unincorporated community of Darbydale. The applicant is proposing to create one new lot that would not meet the minimum required lot size of 2.5-acres, and reduce the size of the residual lot, which would not meet the minimum required lot size of 5-acres or provide for 150 feet of road frontage. The existing lot size is 2.699-acres with 286.82 feet of road frontage. The proposed lot sizes and road frontages are as follows: 1.38-acres with 136.78 feet of road frontage and 1.3111-acres with 150 feet of road frontage.

Surrounding Zoning and Land Use

Surrounding properties are zoned Rural and located in Pleasant Township. The area has developed with low-medium density single-family lots.

Comprehensive Plan

The Pleasant Township Comprehensive Plan, adopted in 2009, includes a Future Lands Use Map that recommends the area for residential suburban high density development, allowing for single-family, two-family and townhomes.

The proposed lot split meets the Plan's recommendations.

Staff Review

Variance from Section 302.021(a(1)) – Land Subdivision:

- The remaining portion of the lot must be 5-acres in size or larger.
 - The remainder lot size would be 1.38-acres
 - A variance of 3.62-acres is required

Variance from Section 302.041(a) – Lot Area and Coverage:

- For each dwelling unit there shall be a lot area not less than 2.5-acres in size.
 - The lot split will allow for the creation of a 1.3111-acre lot
 - A variance of 1.188-acres is required

Variance from Section 302.042 – Minimum Lot Width:

- A one-family dwelling requires a lot width of 150 feet or more at the front line of the dwelling. The lot must have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of at least 150 feet.
 - The proposed road frontage for the 1.38-acre lot is 136.78 feet
 - A variance of 13.22 feet is required

Technical Review Committee Agency Review

Franklin County Engineer's Office

Requests 20 feet of additional right-of-way to be dedicated as highway easement.

Franklin County Sanitary Engineer's Office

Confirmed that the 1.3111-acre lot would have access to public sewer. However, the existing sanitary line for 5408 Norton Road may not cross the proposed lot line. One way to address this concern is to incorporate a permanent maintenance easement over the existing sewer line.

There is a note on the survey submitted that states there is public water available at the site. There is no public water available for the site, therefore the note must be removed.

Franklin Soil & Water Conservation District

Indicated no concerns with the proposed split.

Staff Analysis

The Franklin County Zoning Resolution identifies five (5) criteria in Section 810.041 that must be satisfied to approve a variance request.

- 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 stated that the subject site is one of the largest lots in the area.
 - » Staff agrees that the subject site is one of the largest residential lots in the immediate area and that the split as proposed would not be out of character with the surrounding properties.

- 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 indicated that surrounding lots range from 1.117 to 2.385-acres in size, do not provide for 150 feet of road frontage, and they are proposing two lots that are comparable in size and width.

- » Staff agrees that the proposed lot sizes and road frontages would not be out of character with the surrounding properties.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
- » The applicant indicated that the existing lot configuration did not result from their actions.
 - » Staff does not believe the existing lot configuration is a result from any action 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 that surrounding properties do not meet the existing required lot size, side yard setbacks or building line setbacks.
 - » Staff notes that most of the surrounding properties were developed between the late 1940's and late 1970's, and were subject to different zoning regulations. However, the lot configurations as proposed would allow for larger lot sizes and road frontages than many surrounding properties.
 - » Additionally, the proposed lot sizes and widths are sufficient to allow for development that meets setback requirements.
- 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;*
- » Staff believes that granting the variance will not adversely affect the health or safety of persons residing in the vicinity of the proposed lot split provided the Franklin County Sanitary Engineer's office comments regarding the existing sewer line are addressed.

Recommendation

Staff's recommendation is that the Board of Zoning Appeals approve with conditions a variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres that does not provide for 150 feet of road frontage, and create one lot that fails to meet the minimum lot size requirement of 2.5-acres in an area zoned Rural. The conditions are as follows:

1. The applicant must apply for and receive approval of a Lot Split application from the Franklin County Economic Development and Planning Department.
2. The applicant must dedicate a permanent maintenance easement over the existing sewer line prior to the approval of a Lot Split request.
3. The applicant must remove the note on the survey that states "Public water available at site".
4. The applicant must dedicated 20 feet of additional right-of-way to the Franklin County Engineer's Office as highway easement prior to the approval of a Lot Split request.
5. The proposed driveway for the 1.3111-acre lot must be centrally located on the property, and not conflict with an existing speed limit sign or utility pole.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a variance from Sections 302.021(a(1)), 302.041(a) and 302.042 of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3931 with the conditions recommended by Staff.

Seconded by: _____

Voting:

Findings of Fact

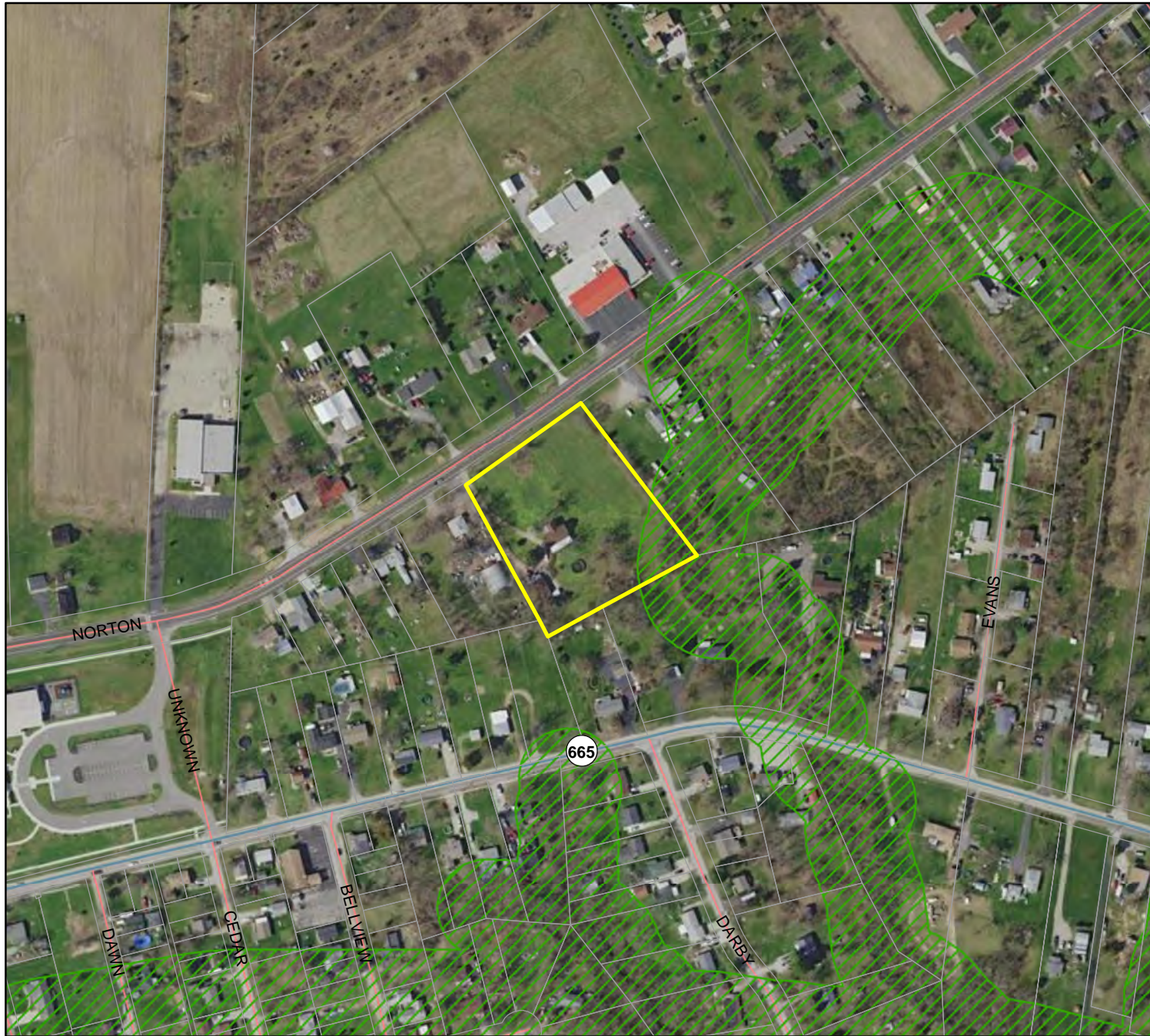
For your convenience, the following are proposed findings of fact:

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 302.021(a(1)), 302.041(a) and 302.042 of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3931 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____






Voting:

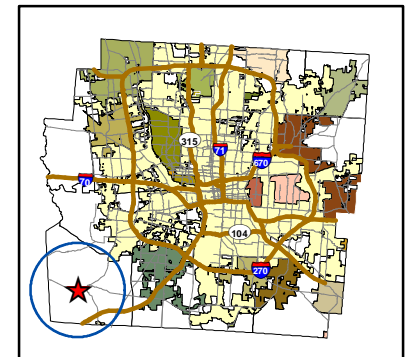


VA-3931

Requesting a Variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres and create one lot that fails to meet the minimum lot size requirement of 2.5-acres or provide for 150 feet of road frontage in an area zoned Rural.

Acres: 2.699
Township: Pleasant

-  5408 Norton Road
-  Parcels
-  Stream Buffers
-  State Route
-  Streets








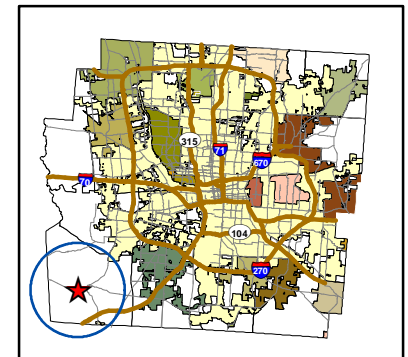


VA-3931

Requesting a Variance from Sections 302.021(a(1)), 302.041(a) and 302.42 of the Franklin County Zoning Resolution to allow for a lot split that will result in a residual lot of less than 5-acres and create one lot that fails to meet the minimum lot size requirement of 2.5-acres or provide for 150 feet of road frontage in an area zoned Rural.

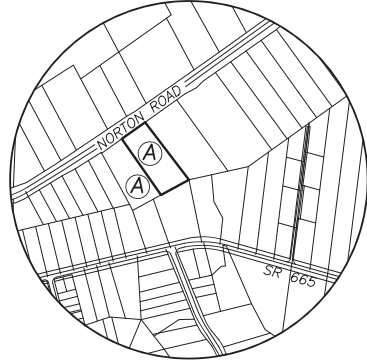
Acres: 2.699
Township: Pleasant

-  5408 Norton Road
-  Proposed Lot Line
-  Parcels
-  Stream Buffers
-  Streets



LOCATION MAP

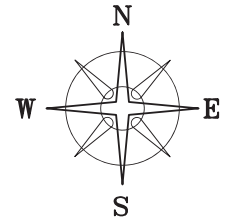
NOT TO SCALE



R/W DEED REFERENCE
FRANKLIN COUNTY

- (24-WD) OR 17037 I17 - 0.153 ACRES
- (25-WD) OR 16727 H18 - 0.254 ACRES
- (26-WD) OR 16889 G02 - 0.193 ACRES

BEARINGS ARE BASED ON A
GPS OBSERVATION ON 08/14/18
WGS 1984 GEODETIC NORTH.
CENTERLINE OF NORTON ROAD
BETWEEN FCGS 5128 & 5129
N 53°55'15" E



DEED REFERENCE
BRYANT K & DONNA J KARNES
OR 31357 J08

PARCEL No. 230-002651-00
(A) 2.699 ACRES
2.953 ORIGINAL ACRES

FRANKLIN COUNTY
CENTERLINE SURVEY PLAT
NORTON ROAD CR 3
DWG 0003-05
ODOT R/W PLANS
CENTERLINE SURVEY PLAT
FRA-C.R. 3
SHEET 1/37 & 18/37

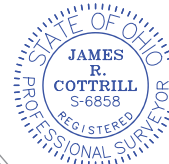
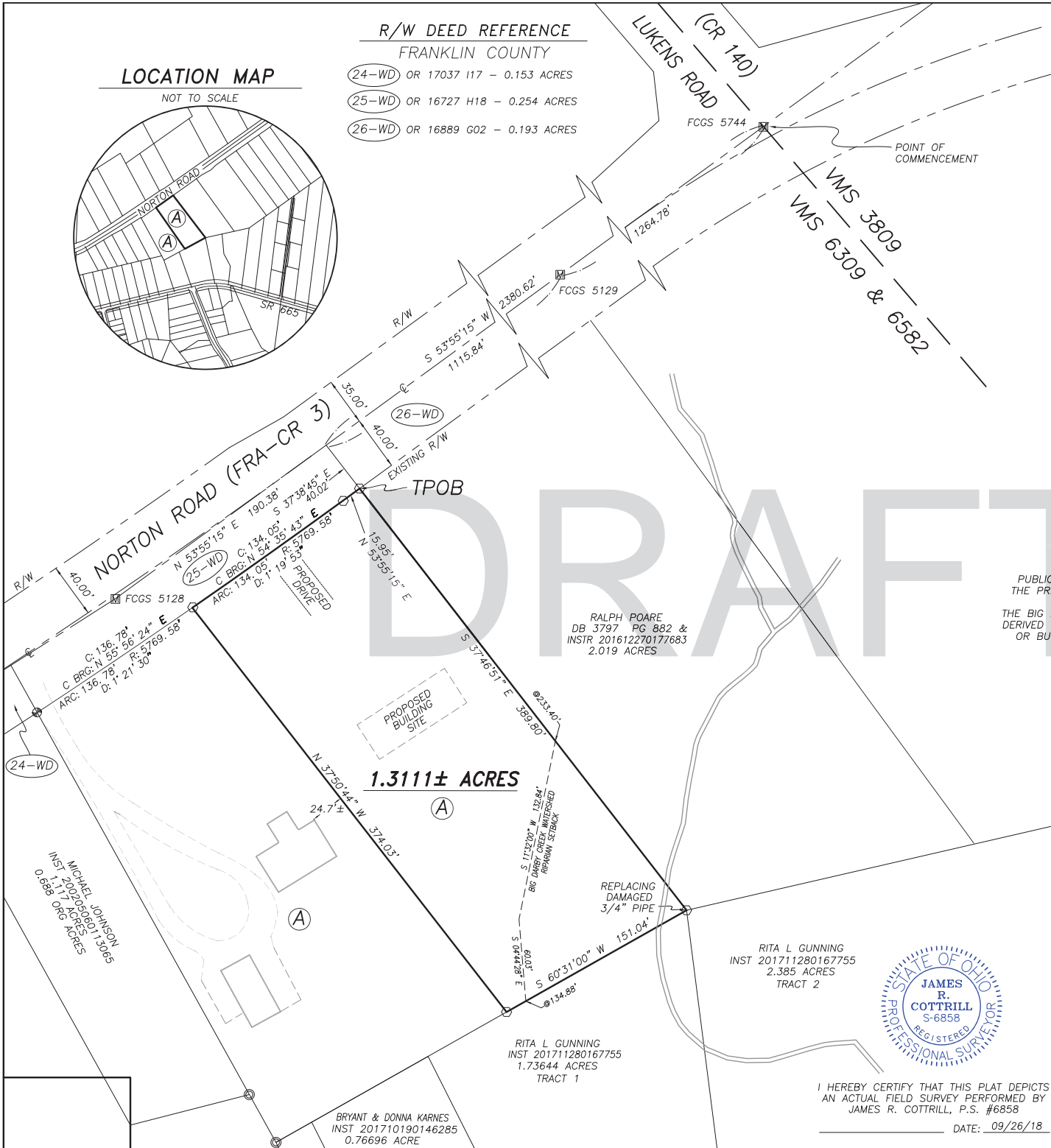
NOTES

PUBLIC WATER AND WASTEWATER AVAILABLE AT SITE.
THE PREVIOUSLY NOTED POND ALONG THE SOUTHEAST
PROPERTY LINE HAS BEEN FILLED.
THE BIG DARBY CREEK WATERSHED RIPARIAN SETBACK HAS
DERIVED FROM THE FRANKLIN COUNTY GIS. NO GRADING
OR BUILDING IS PERMITTED INSIDE OF THE SETBACK.

LEGEND

ALL MONUMENTS FOUND OR SET ARE IN
GOOD CONDITION UNLESS OTHERWISE NOTED.

- ☑ FRANKLIN COUNTY MONUMENT (FOUND)
- ⊙ 3/4" ϕ IRON PIPE (FOUND)
- ⊕ IRON PIN & YELLOW PLASTIC CAP
STAMPED "FRANKLIN COUNTY" (FOUND)
- 5/8" ϕ REBAR & YELLOW PLASTIC
CAP STAMPED "COTTRILL 6858" (SET)



I HEREBY CERTIFY THAT THIS PLAT DEPICTS
AN ACTUAL FIELD SURVEY PERFORMED BY
JAMES R. COTTRILL, P.S. #6858
DATE: 09/26/18

COTTRILL SURVEYING, INC
8256 State Route 207 NE, Mt. Sterling, Ohio 43143
Office: (740) 869-3811 Fax: (740) 869-3846
www.cottrillsurveying.com

1.3111± ACRES,
VMS 6309 & 6582, PLEASANT TOWNSHIP,
FRANKLIN COUNTY, STATE OF OHIO.
SURVEYED FOR KARNES

| | | |
|------------------|------------------|------------|
| SCALE : 1" = 50' | JOB No. S180705 | CREW: MW |
| 50' 25' 0 50' | SURVEYED 08/2018 | DWN BY: RC |
| | DRAWN 08/2018 | CHECK: NC |



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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
December 17, 2018

Case: VA-3932

Prepared by: Phil Ashear

| | |
|-------------------|--|
| Owner: | Decorus Vita, LLC |
| Applicant: | Cheryl Ricker |
| Township: | Sharon Township |
| Site: | 456 Rosslyn Ave. (PID #254-151646) |
| Acreage: | .114 |
| Zoning: | Rural |
| Utilities: | Public Water and Private Wastewater |
| Request: | Requesting a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage. |

Summary

Requesting a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage. The request meets the criteria for granting a Variance. Staff recommends approval with conditions of the request.

Description of the Request

The subject site is located on the north side of Rosslyn Ave. in unincorporated Sharon Township. The parcel was platted as part of the Tremont Gardens subdivision in 1917 and is forty (40) feet wide at the right-of-way. The parcel is currently vacant; the applicant is proposing a 1,200 sq. ft. single-family home on the lot.

Surrounding Area

The subject site is located in the northern part of the County just south of the City of Worthington in unincorporated Sharon Township. Parcels in the surrounding area are primarily residential. Surrounding parcels are zoned Rural with parcels to the east zoned R-8 in unincorporated Sharon Township. Parcels to the north include multi-family residential in the City of Columbus.

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 a single-family residential use for the property and meets the Plan's recommendations.

Staff Review

Variance from Section 110.041 – Non-Conforming lot:

- The construction of a conforming structure and/or the conduct of a permitted use shall be allowed on a nonconforming lot of record having at least sixty (60) feet abutment on an improved, publicly maintained right-of-way.
 - The proposed development would include a conforming structure on a lot that does not have sixty (60) feet of abutment.
 - A Variance to allow the construction of a conforming structure on a lot with forty (40) feet of frontage is required.

Technical Review Committee Agency Review

No Technical Review Committee Agencies expressed concern.

Staff Analysis

The Franklin County Zoning Resolution identifies five (5) criteria in Section 810.041 that must be satisfied to approve a variance request.

- 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 stated that the forty (40) feet of frontage is a special circumstance.
 - » Staff agrees that the forty (40) foot frontage that results from the original 1917 plat 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 most other parcels in the area have only forty (40) feet of frontage but also include homes.
 - » Staff agrees that other parcels in the area have single-family homes on lots with forty (40) feet of frontage and that a literal interpretation of the zoning resolution would deprive the applicant of rights commonly enjoyed by others.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
 - » The applicant indicated that the special circumstance – the lot frontage – is a result of the original plat and is not a result of their actions.
 - » Staff agrees that the forty (40) feet of frontage is not a result of actions taken 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 granting the variance would not confer special privileges because the proposed development would be consistent with other development in the area.
- 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 and staff agrees that the proposed development would not adversely affect the health or safety of persons residing or working in the area.

Recommendation:

Staff's recommendation is that the Board of Zoning Appeals **approve with conditions** a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage. The conditions are as follows:

1. The applicant must apply for and receive approval of a Certificate of Zoning Compliance and Building Permit with the Franklin County Economic Development and Planning Department.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution:

_____ moves to approve a variance from Section 110.041 of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3932.

Seconded by: _____

Voting:

Findings of Fact

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

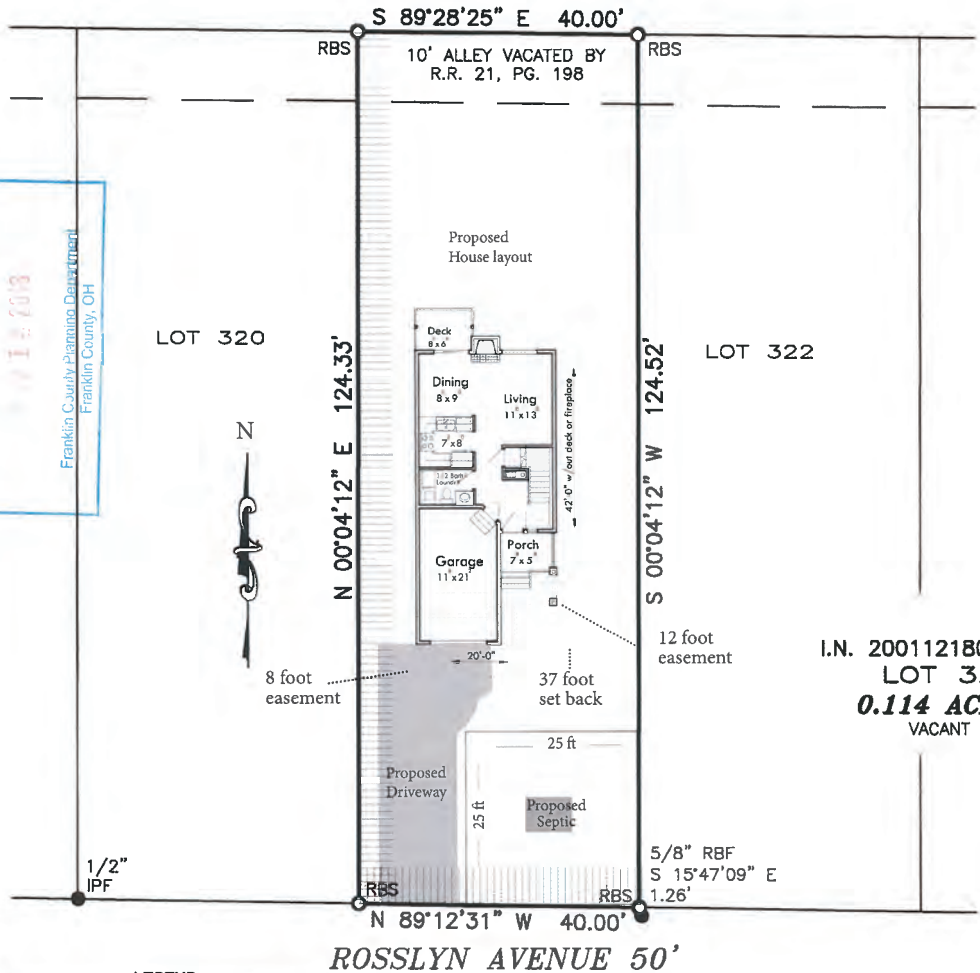
If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

_____ moves that the basis for denying the applicant's request for the variance from Section 110.041 of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3932 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

Voting:

RECEIVED
 AUG 14 2018
 Franklin County Planning Department
 Franklin County, OH



I.N. 200112180295362
 LOT 321
 0.114 ACRES
 VACANT

LEGEND

- IPF IRON PIN FOUND
- RBF REBAR FOUND
- RBS REBAR SET



(IN FEET)
 1 inch = 20 ft.

BASIS OF BEARINGS:
 THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE INTENDED TO DENOTE ANGLES ONLY.

FLOOD NOTE:
 THE SUBJECT PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN), AS DETERMINED BY GRAPHIC INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP NUMBER 39049C0159K, WITH AN EFFECTIVE DATE OF 6/17/2008, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

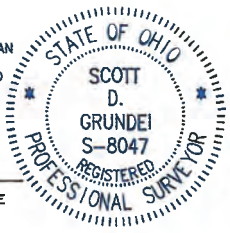
NOTE:
 THIS SURVEY DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL REBAR SET ARE 5/8" DIA. 30" LONG, W/ RED PLASTIC CAP STAMPED "LANDMARK SURVEY"

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY IN JULY OF 2018 MADE UNDER MY SUPERVISION AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

DRAWN BY: DJH

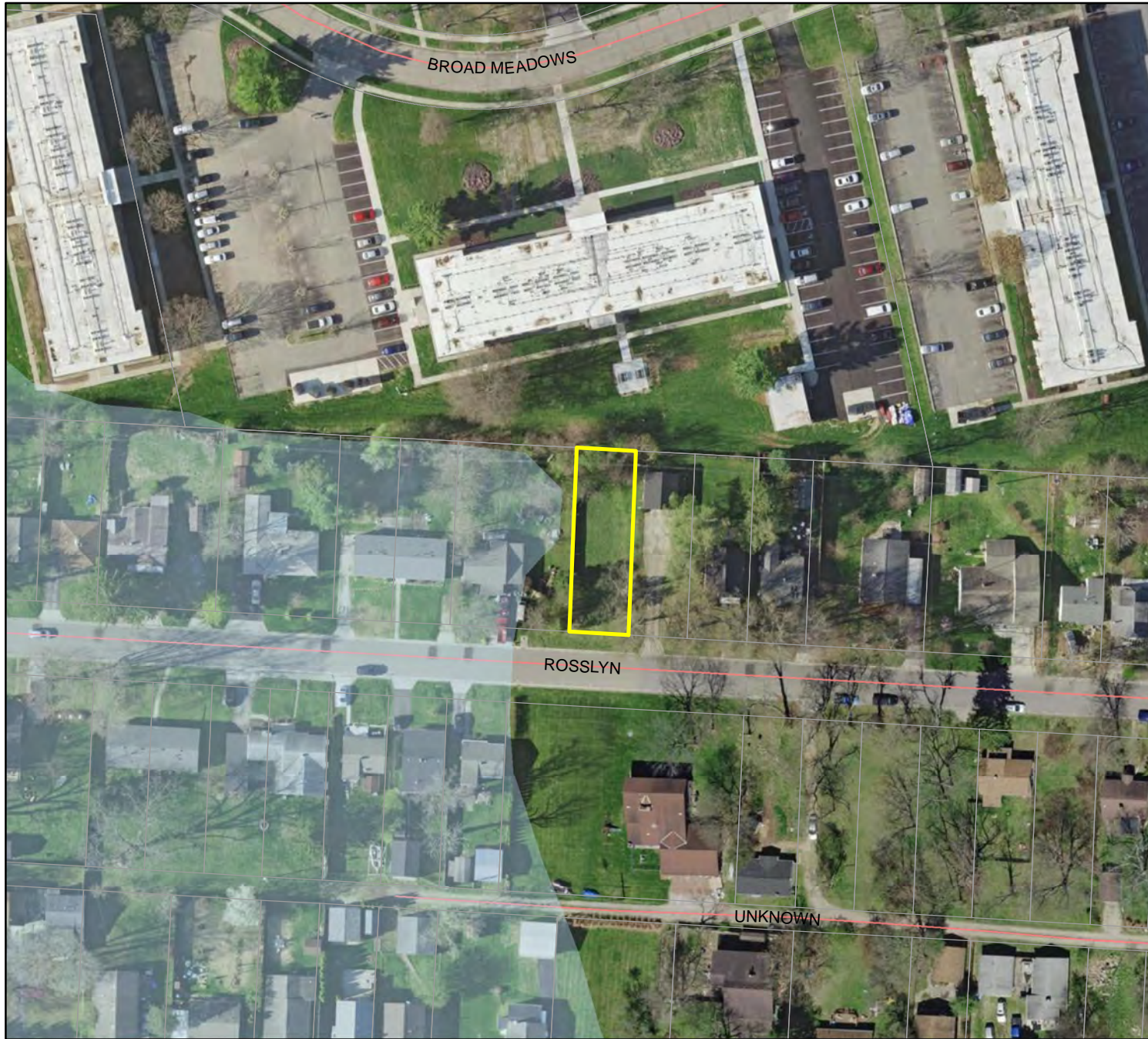
Scott D. Grunde 8/6/18

SCOTT D. GRUNDEI, P.S. DATE
 REGISTERED SURVEYOR NO. 8047



LS LANDMARK SURVEY
GI GROUP, INCORPORATED
 2089 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
 PHONE: (614) 485-9000 FAX: (614) 485-9003
 DATE: 8/6/18 FILE NO. 215252



PARCEL NUMBER: 254-151646-00
 456 Rosslyn Avenue • Columbus, OH 43214
 Decorus Vita, LLC
 Cheryl Ricker, Member
 (614) 506-2364

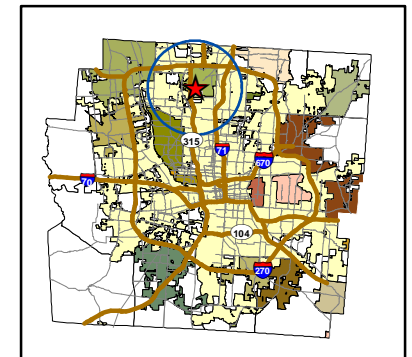


VA-3932

Requesting a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage.

Acres: 0.114
Township: Sharon

-  456 Rosslyn Avenue
-  Parcels
-  Streets
-  Floodway Fringe (100 year)







VA-3932

Requesting a Variance from Section 110.041 of the Franklin County Zoning Resolution to allow the construction of a new home on a non-conforming lot that has less than sixty (60) feet of road frontage.

Acres: 0.114
Township: Sharon

-  456 Rosslyn Avenue
-  Parcels
-  Streets
-  Floodway Fringe (100 year)

