

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR MEETING
September 28, 2015**

The Chair, Ms. Reisling called the Board of Zoning Appeals meeting to order at 5:30p.m. at the Grove City Municipal Building, 4035 Broadway.

Roll was called and the following members were present:

John Brant

Kelly Reisling

George Holinga

Staff present: Stephen Smith, Director of Law and Planning and Zoning Coordinator Laura Scott. The Chief Building Official was excused.

All representatives addressing the board were sworn in. The Chair moved to the first item on the agenda.

- 1) Ms. Reisling moved to approve the minutes from June 22, 2015. Second by Mr. Brant.

VOTE: Brant, YES. Holinga, YES, Reisling, YES; **APPROVED.**

The Chair, Ms. Reisling indicated the board will hear all of the appeals for the Jackson Township Fire stations at one time but vote on each appeal separately.

- 2) Hear the appeal of **Michael Lilly, Township Administrator, Jackson Township, 4343 Grove City Rd., Station #201; 3650 Hoover Rd., Station #202; and 2650 London Groveport Rd., Station #203** for variances to Section 1145.06 – Prohibited Signs, to construct a variable/changeable messaging (electronic) sign at each location.
- 3) Hear the appeal of **Michael Lilly, Township Administrator, Jackson Township, 3650 Hoover Rd., for Fire Station #202**, for a variance to Section 1145.16(e) to have a total of two signs on one parcel of land.

Michael Lilly, Township Administrator explained his request to install an electronic type message board at Grove City's three oldest fire stations. Each sign is a considerable investment at \$16-18,000. Old signage will be torn down at fire station's #201, Grove City Rd and 203 at St Rt. 665. The new signs will be set back considerably more than the older signs which may have been too close to the road. The signs will be the same as the sign in use at the new fire station #204, on Buckeye Parkway. All four signs are run by a very flexible software program which allows the programmer to manipulate several aspects of the sign display. The sign board messaging will be static, no Pac-men, flashing or fireworks. The background will be black and the lettering white so as not to be a nuisance to drivers. The signs will generally carry the same messaging at the same time. Mr. Lilly introduced Chief Dawson who added the signs can also display targeted messaging when needed such as detour information or directions to festivals and community events.

The Chair indicated she felt the signs would be a benefit to the community as long as they were not a distraction to drivers and met the setback requirements. Mr. Lilly confirmed this. Mr. Brant indicated staff received an email from an area resident, Mrs. Long who had concerns the sign might be distracting to drivers at Grove City Rd and Demorest. Mrs. Scott stated Mrs. Long's concerns were alleviated when she reviewed the application materials and details of the variance including the location of the sign. She wrote later she now supports the signage. Mr. Brant also noted the variance was supported by the Village at Hunter's Crossing Condominium Association. Mr. Holinga stated he lives near the sign on Buckeye Parkway and finds the sign easy to read and displaying helpful reminders for the community. The chair called for a vote.

Motion to grant the appeal for Michael Lilly for Fire Stations #201 to Section 1145.06 to construct a variable/changeable messaging (electronic) sign. Second by Mr. Brant.

VOTE: Holinga, YES, Reisling, YES; Brant, YES: APPROVED.

Motion to grant the appeal for Michael Lilly for Fire Station #202 to Section 1145.06 to construct a variable/changeable messaging (electronic) sign. Second by Mr. Holinga.

VOTE: Reisling, YES, Brant, YES; Holinga, YES: APPROVED.

Motion to grant the appeal of Michael Lilly for Fire Stations #203 to Section 1145.06 construct a variable/changeable messaging (electronic) sign. Second by Mr. Holinga.

VOTE: Brant, YES, Holinga, YES; Reisling, YES: APPROVED.

Motion to grant the appeal for Michael Lilly for Fire Station #202 to Section 1145.16(e) to have a total of two signs on one parcel of land. Second by Mr. Holinga.

VOTE: Holinga, YES, Reisling, YES; Brant, YES: APPROVED.

Ms. Reisling reminded Mr. Lilly there is a 21-day waiting period before the variance is effective in order to allow for appeals from City Council or an aggrieved party. The Chair moved to the next item.

- 4) Hear the appeal of **Tim Ruzicka, property owner for 0000 Edwards Rd. (Parcel #040-006351) zoned R-2** for a variance to Section 1135.10 (a) to construct a garage in excess of 700 square feet on a lot zoned R-2.; a variance to Section 1137.08 (a) to construct a garage on a lot without a residence; a variance to Section 1137.08 (h) to construct a garage exceeding the maximum allowable height of 13 feet.

Mr. Ruzicka introduced his family who travel each week from Mar- October to participate in Jr. car racing events around the country. They purchased the lot across the street with the intent to store an RV, trailer and four Jr. race cars.

Mr. Brant noted the neighbors that live on either side of the applicant have responded in support of the variance. Mr. Brant indicated that staff had noted in their report that other lots in the area that had been annexed into Grove City originally as R-2 residential had since been rezoned to Commercial. He asked Ruzicka if he was interested in rezoning the property to commercial. Mr. Ruzicka said he would not be in favor of rezoning. Mr. Brant questioned staff on why they did not support the construction of 7,200 sf building on the R-2 lot. Ms. Scott said the recommendation was based on the size of the building which is similar in size to commercial buildings in the area; the largest residential pole building approved by the BZA since 2011 was 3,000sf; other BZA variances for pole buildings were for buildings 1,000-1,500sf and the township permits up to 1,500sf. Staff was concerned approval could set a precedent for other residents who want to purchase and store recreational vehicles. Both the area and the height were a concern of staff.

Brant asked Ruzicka if he was made aware staff supported a smaller building. He said yes. Brant asked if the height or storage area could be reduced. Ruzicka stated they have run out of room at their home. The RV is 13'6" tall and 82' long which leaves 30" on top to change a filter. The doors on the trailer open up to drive the cars in making it 92 feet long. It would create a hardship to reduce the roof height. His current garage is packed full, has a skid loader and race equipment, a work van and the kids are driving now too. They actually own two RV's at the moment but intend to sell one of them. Brant felt that not approving the variance created a hardship for the applicant. Mrs. Ruzicka stated that currently the cars go in the garage which is double deep and the RV's stay outside.

Holinga stated he understands the size requirements for trailers, gates and vehicles. He is concerned about setting a precedent but believes the neighbors would appreciate the items being parked inside. He thought rezoning from residential to commercial might be a solution. He asked counsel if he thought rezoning would not be a major hurdle. Stephen Smith stated that looking at the surrounding properties that commercial zoning is the norm in the area but he did not know if a C-2 zoning is the magic bullet because he does not know if the applicant would need other variances based on the size of the structure. Ms. Scott and Mr. Boso did not believe it would be an issue to build a building of this size on a commercial lot. However, such a request would have to be fully evaluated through the rezoning process.

Mr. Holinga asked if the applicant spoke to Homer McKnight. Ruzicka said he had, but Homer was in Colorado and asked to get back to him. There was lengthy discussion on the possibility of filing a rezoning application. Ruzicka said the timing would still make it a Jan/Feb build time which would not help him since he needed to get the items inside for the winter but was open to the idea. Smith, who was responding to questions from the board, stated obtaining a variance would not preclude Ruzicka from applying for a re-zoning but he did not see the benefit of a re-zoning since the applicant had stated he had no intention of using the property for a commercial use. Brant agreed he'd be better off to wait until he intended to use the building for a commercial use.

Brant felt this was a special case because they owned so many lots in the area. Ruzicka agreed stating he lives on a dead end street and not in a subdivision. If he is one-day successful in buying the lot next door he would own several acres at the end of the street. Because of the trees it feels like they live in the country but Chipotle is just a few miles away. Ruzicka owns five of the nine lots on the north side of Edwards Rd. All of these properties are in Jackson Township. Six of the nine lots have houses on them. He owns two of the seven lots on the south side of Edwards. All of these properties are in the city.

He said he could not build in Jan or Feb. due to weather. Timing was the major issue. He would only use the building to store his property. He is part owner of a small fire protection business and has been in the business for 30 years.

Motion to grant the appeal of Tim Ruzicka, property owner for 0000 Edwards Rd. (Parcel #040-006351) zoned R-2 for a variance to Section 1135.10 (a) to construct a garage in excess of 700 square feet on a lot zoned R-2.; Seconded by Mr. Brant.

VOTE: Brant, YES. Holinga, YES, Reisling, YES; **APPROVED**.

Motion to grant the appeal of Tim Ruzicka, property owner for 0000 Edwards Rd. (Parcel #040-006351) zoned R-2 for a variance to Section 1137.08 (a) to construct a garage on a lot without a residence; Seconded by Mr. Brant.

VOTE: Brant, YES. Holinga, YES, Reisling, YES; **APPROVED**.

Motion to grant the appeal of Tim Ruzicka, property owner for 0000 Edwards Rd. (Parcel #040-006351) zoned R-2 for a variance to Section 1137.08 (h) to construct a garage exceeding the maximum allowable height of 13 feet. Seconded by Mr. Brant.

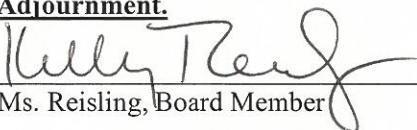
VOTE: Brant, YES. Holinga, YES, Reisling, YES; **APPROVED**.

Ms. Reisling mentioned the 21-day waiting period within which Council can appeal this decision.

The Chair asked for any new business. There being none, the Chair moved to adjourn the meeting at 6:20pm. Seconded by Mr. Brant.

VOTE: Brant, YES. Holinga, YES, Reisling, YES; **APPROVED**

Adjournment.


Ms. Reisling, Board Member


Laura Scott, Secretary