

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR (Virtual) MEETING
June 28, 2021**

The regular meeting of the Board of Zoning Appeals was called to order by Chair Holinga at 5:30 p.m. at the Grove City Municipal Building, 4035 Broadway. This meeting was held via Webex Events and open to the public.

1. Roll was called. The following members were present;

George Holinga John Brant Tony Haughn

Staff present; Michael P. Boso, Chief Building and Zoning Official; Jesse Shamp representing the Law Director. Laura Scott was excused.

Applicants and representatives; Robin Claucherty and Don Elsen of BDHP Architects; Jim Porter, HAWA Engineers; Jason Francis, M/I Homes of Central Ohio, LLC; Mike Reeves, Kimley-Horn; Rob Ferguson, UAS Inc.; Sandra Fabyan, 4878 Jackson-Pike; Linda Montgomery, 1001 White Rd.

Applicants were sworn in before speaking.

2. ***Motion by Chair Holinga to approve the minutes from the May 24 meeting. Second by Mr. Brant.***

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

3. Hear the appeal of Robin Claucherty of BHDP Architecture representing Forge Biologics for 3900 Gantz Rd., (Parcel # 040-007564), for a variance to Section 1137.16 to waive the screening requirement for roof top service or mechanical equipment.

Robin Claucherty explained this is a large manufacturing building owned by Forge Biologics for the production of gene therapies for people with rare genetic diseases. Forge is in the process of creating clean spaces for GMP manufacturing which requires large HVAC units to be placed on the roof. The proposed rooftop equipment will be 157' from the west wall of the building and 37' from the south parapet/wall. The existing parapet is approximately 2' tall. The energy recovery units (ERU's) are 10' tall and the stacks along the north edge of the ERU's are a 10' tall for a total of 20' of equipment on top of the roof. They are proposing not to screen the units from the road because the parapet and existing vegetation will provide some screening. Also, the code required 20' tall screen could have a big impact on snow and wind loads. The vegetation consists of mature deciduous and evergreen trees. The stacks would be a color closely matching that of the building.

The board reviewed several photos and models showing the anticipated visual impact of the stacks.

Motion by Chair Holinga to grant the appeal of Robin Claucherty of BHDP Architecture representing Forge Biologics for 3900 Gantz Rd., (Parcel # 040-007564), for a variance to Section 1137.16 to waive the screening requirement for roof top service or mechanical equipment. Second by John Brant.

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

Chair Holinga informed the applicant of the 21-day waiting period and moved to the next item.

4. Hear the appeal of Jason Francis, M/I Homes of Central Ohio, LLC for 4535 Jackson-Pike, (Parcel # 040-016490), for a variance to Section 1329.18 – Flood Damage Prevention Code to place fill in the floodplain in a residential area known as Pinnacle Quarry.

Jason Francis of M/I Homes explained the pond is located in the southeast portion of the project in open space. The pond as it exists today does not provide any sort of amenity, it doesn't comply with the geometric requirements of modern pond construction. The plan is to make improvements to the grading and the slopes creating a wetland basin that will improve water quality per EPA for site runoff. The pond just happens to be located in a floodplain, thus requiring the BZA variance request.

Chair Holinga asked about the origination of the pond, which was unknown but may have been a part of old quarry as well as a Special Flood Hazard Development Permit (SFHDP). Mike Reeves explained the SFHDP had been filed with the Building Division as well as a Hydraulic study reviewed by the city engineer. The study showed the proposed changes will result in no rise or impact to the floodplain.

Mr. Brant asked Mr. Boso who is also the floodplain manager, for his recommendation. He explained the proposed changes will be an improvement and have no negative impact on the floodplain. The pond has a very steep slope and not the typical safety ledges that we incorporate in ponds today. Both the Building Division staff report and Service Department indicated support for the proposed variance. The modifications to the pond will improve public safety making the area safer and an amenity for the Pinnacle Quarry residents.

Two members of the public were asked to speak. Linda Montgomery of 1001 White Rd. lives at the far north end of the project. She explained she was having a water issue and had spoken to representatives from the township and the city and spoke to someone at M/I Homes recently. The city inspector Mike Holdren has met with her and acknowledged a drainage issue. Linda Montgomery has been experiencing an abundance of water on her lot since grading of the site began. She indicated the drain and swale are not adequate to handle the rains we've been having resulting in ponding on her lot. She is concerned her house could flood. Jason Francis acknowledged he was the person who had talked with her and is committed to following up with her regarding her complaint as well as Franklin County. Mike Reeves indicated this is just the start of the project. They have a significant amount of site work and water management planned for the project.

Mr. Brant and Linda Montgomery acknowledged that while she had a valid concern that needed addressed by the appropriate agencies, the board had no authority in this area and the issue had no bearing on the matter in front of the board.

Sandra Fabyan of 4878 Jackson-Pike, lives across the street to the east of Pinnacle Quarry made general comments regarding flooding in this area of town but said she now understands the new subdivision will actually improve conditions in the area.

Mr. Boso indicated to Linda Montgomery he would also follow up with the Service Dept. (Mike Holdren) regarding her concerns and if either resident sees any negative impact from the BZA variance appeal for changes to the pond, to contact the city.

Motion by Chair Holinga to grant the appeal of Jason Francis, M/I Homes of Central Ohio, LLC for 4535 Jackson-Pike, (Parcel # 040-016490), for a variance to Section 1329.18 – Flood Damage Prevention Code to place fill in the floodplain in a residential area known as Pinnacle Quarry with one stipulation, to obtain a Special Flood Hazard Development Permit. Second by Tony Haughn.

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

Chair Holinga advised the applicant of the 21-day waiting period.

5. Hear the appeal of Robert M. Ferguson., UAS Inc. Agent for Verizon representing Cellco Partnership d/b/a Verizon Wireless & the Southwestern City School District (SWCSD) for 4500 Big Run Rd. South, (Parcel #040-011536) the site of Central Crossing High School for a variance to Section 1137.15 (d) (4) to construct a 150' cell tower and reduce the required setback to adjoining property of 300' by 91' for a total setback of 209'.

Rob Ferguson indicated the Central Crossing High School was a good location for the cell tower because the high school grounds, stadium and soccer fields allow the tower to be well buffered from residential properties. The tower is to replace one of the stadium lights which are 90' tall. The proposed tower is 140' tall plus a 10' lightning rod on top for a total of 150'. The required setback per code to residential is to be twice that, or 300'. As proposed, the tower would be only be set back 209', not the 300' required to a residential district. However, as proposed the tower would be more than 450' to any residential structure. The stadium light will be reattached to the tower and other carriers would be permitted to co-locate with Verizon. The fenced compound around the tower base will be screened with Arborvitae shrubs for enhanced visual impact from ground level. Rob Ferguson showed visual comparisons of the football field from a distance with the existing football lights and then with the addition of the cell tower.

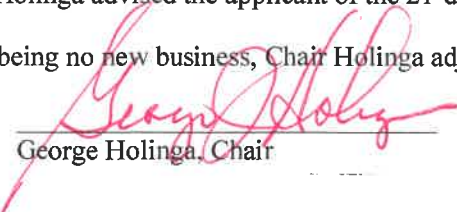
Mr. Brant asked Mr. Boso about letters notifying the adjoining property owners of the variance request. Mr. Boso indicated letters had gone out but we had not received any comments. Mr. Brant asked the applicant if this installation was similar to the cell tower installed at Grove City High School in 2005. He said it is very similar to the application T-Mobile did in 2005.

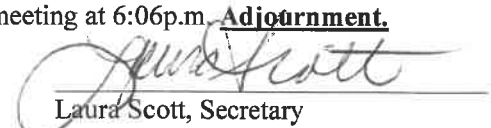
Motion by Chair Holinga to grant the appeal of Robert M. Ferguson., UAS Inc. Agent for Verizon representing Cellco Partnership d/b/a Verizon Wireless & the Southwestern City School District (SWCSD) for 4500 Big Run Rd. South, (Parcel #040-011536) the site of Central Crossing High School for a variance to Section 1137.15 (d) (4) to construct a 150' cell tower and reduce the required setback to adjoining property of 300' by 91' for a total setback of 209'.

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

Chair Holinga advised the applicant of the 21-day waiting period.

There being no new business, Chair Holinga adjourned the meeting at 6:06p.m. **Adjournment.**


George Holinga, Chair


Laura Scott, Secretary

