

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR MEETING
May 22, 2019**

The regular meeting of the Board of Zoning Appeals was called to order by Chair Holinga at 5:35p.m., at the Grove City Municipal Building, 4035 Broadway.

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

George Holinga John Brant Tony Haughn

Staff present: Stephen Smith, Law Director, Planning and Zoning Coordinator, Laura Scott.

Also present; Tony Cerny and Monty Mills representing Silco Fire & Security, Michael Kady and Amanda Mills representing Grand Communities, LLC, Rick Harkless of CEC, Inc., Kevin Ferguson of K & K Builders representing George Hapney, Michael Robinson, property owner 3469 Woodlawn Ave., and Ben Oler, property owner of 3749 Meadow Lane.

All representatives addressing the board were sworn in.

2. ***Motion by Chair Holinga to approve the minutes from the March 25 meeting. Seconded by Mr. Brant.***

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

3. Hear the appeal of Anthony Cerny, Architectural Design Studios, representing Silco Fire & Security, 2345 Southwest Blvd., (Parcel # 040-009220) for a variance to Table 1135.12-II to encroach the 100' rear yard setback adjacent to residential by 30.5' for a total setback of 69.5' by constructing a building addition.

Anthony Cerny stated Silco Fire & Security would like to double the size of the facility it is occupying now, which is about 10,000sf. The additional space will house a training facility, office and warehousing space. The proposed additional will match the existing structure which does not conform to the 100' rear yard setback requirement. The new building will be in line with the existing facility.

Mr. Brant asked staff to comment on the letter received from Mr. Tonti and whether his concerns were addressed or needed to be considered by the BZA. Stephen Smith indicated Mr. Tonti appeared at the City Council meeting on Monday night. Council added two stipulations to their approval of the project to address Mr. Tonti's concerns. The stipulations added are; 1) no outside storage, and 2) additional mounding and possibly more trees. Stephen Smith responded to Mr. Haughn's question about parking lot lighting. He indicated the lighting was also addressed by Council.

Motion by Chair Holinga to approve a variance for Silco Fire & Security to Table 1135.12-II to encroach the 100' rear yard setback adjacent to residential by 30.5' for a total setback of 69.5' by constructing a building addition. Adding two stipulations.

1) Construction shall begin within 12 months.

2) The parcels shall be combined. Seconded by Mr. Brant.

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

Applicant was advised of the 21-day waiting period.

4. Hear the appeal of Michael Kady, Grand Communities, LLC for the proposed Farmstead Development, vacant land located at 0- Jackson Pike on Parcel #'s 160-000205/160-003097 in Jackson Township for a variance to Section 1329.18 (a) of the Flood Damage Prevention Code to allow filling and grading in the floodplain to allow for compensatory storage. The parcels were annexed into Grove City effective 04-05-19 per City Council Ordinance C-69-18.

Michael Kady presented background on the Farmstead Development and approvals received to date. This project has received approvals for the annexation, the rezoning and the development plan. The plan was approved for 535 home sites and will include a significant amount of open space, a school site, an amenities center and an expansion of Indian Trails Park with a trail system that will extend two multi-use trails to Jackson Pike/S.R. 104 adding over three miles of trails.

On the north side, the trail will wrap around the proposed detention basin which fits into a natural low point in the project, an area where the majority of the storm water drains to. In the design of the site, they paid particular attention to the floodplain. This request is necessary to approve the fill to create the detention basin. The area in blue on the map shows the fill area. The yellow is the compensatory cut. Everything in blue is not just the physical placement of the dirt for the fill, but also the area consumed by the detention basin so when the basin fills up it is using floodplain storage. The area in yellow is what they call the "cut" that exceeds the fill volume that creates the compensatory storage.

Referring to concerns from an area resident, Mr. Kady explained that as part of the site approval process, the project engineers performed a detailed analysis of the floodplain and the effects of the development on Grant Run. A HEC-RAS (Hydrologic Engineering Center's River Analysis System) study was submitted to Jennifer Stachler, Grove City Service Superintendent for review. The study evaluates the impact of two-hundred acres being detained in basins and then discharged to Grant Run. That HEC-RAS study showed the pre-developed condition of Grant Run and the developed condition of the site, resulting in "no rise" to Grant Run.

Mr. Brant pointed out that most of the criteria reviewed for filling in the floodplain relates to building structures (buildings) in the floodplain. Mr. Brant asked about the communication from an adjoining property owner. It was determined the Markham property is located in the area south of the floodplain and west of the school site. Stephen Smith responded. He indicated that our code requires the BZA and Mr. Boso, Floodplain Manager to consider eleven criteria for reviewing a request to deviate from the floodplain. Mr. Boso did so and commented in the staff report that he believes the request is appropriate.

Stephen Smith indicated typically there is a 21-day appeal period but this case is different. In this case, any appeal would go to Franklin County Court of Common Pleas per Chapter 26, Administrative Appeals. Any taxpayer has the right to appeal this type of variance within 30 days.

Motion by Chair Holinga to approve the appeal of Michael Kady, Grand Communities, LLC for the proposed Farmstead Development, vacant land located at 0- Jackson Pike on Parcel #'s 160-000205/160-003097 in Jackson Township for a variance to Section 1329.18 (a) of the Flood Damage

Prevention Code to allow filling and grading in the floodplain to allow for compensatory storage with one stipulation, 1) to obtain a Special Flood Hazard Development Permit. Seconded by Mr. Brant.

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

5. Hear the appeal of Kevin Ferguson, K & K Builders, representing George C. and Luann Hapney of 3462 Woodlawn Avenue. (Parcel #040-000668) for three variances relating to construction of a garage building.

(1) Table 1135.10-I to encroach the front building set back of 30'-0" by 21'-0" feet for a total garage setback of 9'-0".

(2) Section 1135.10 (a) to exceed the total square footage allowed for a detached garage of 700 square feet by 84 square feet for a total 784 square feet.

(3) Section 1137.08 (h) to exceed the maximum allowable garage height of 13'-0" by 6" for a total of 13'-6".

Kevin Ferguson explained the need for the variances. The owner wishes to take down an older 1-car garage that is non-conforming and encroaching the front setback and build a few feet closer to the curb. The larger garage will hold cars, mower and tools. The six inch height increase will allow him to construct a 4/12 pitch roof. Mr. Brant asked if staff had sent letters to the adjoining property owners. Mrs. Scott indicated she had done so but received no responses. Mr. Hapney plans to install a driveway and concrete approach.

Motion by Chair Holinga to approve the variances requested by Kevin Ferguson, K & K Builders, representing George C. and Luann Hapney of 3462 Woodlawn Avenue. (Parcel #040-000668) for three variances relating to construction of a garage building. Seconded by John Brant.

All three variances shall have two stipulations: 1) Construction shall begin within 12 months and 2) a hard- surfaced driveway and concrete approach shall be installed upon completion of the garage.

(1) Table 1135.10-I to encroach the front building set back of 30'-0" by 21'-0" feet for a total garage setback of 9'-0".

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

(2) Section 1135.10 (a) to exceed the total square footage allowed for a detached garage of 700 square feet by 84 square feet for a total 784 square feet. Seconded by Mr. Brant.

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

(3) Section 1137.08 (h) to exceed the maximum allowable garage height of 13'-0" by 6" for a total of 13'-6". Seconded by Mr. Haughn.

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

6. Hear the appeal of Michael Robinson, property owner 3469 Woodlawn Ave. (Parcel #040-000678) for two variances relating to construction of a garage building.

(1) Section 1137.08 (h) to exceed the maximum allowable garage height of 13'-0" by 1'-4" for a total of 14'-4".

(2) Section 1137.08 (h) to exceed the maximum allowable garage wall height of 8'-0" by 2'-0" for a total garage wall height of 10'-0".

Mr. Robinson explained he bought the house two years ago in filthy condition. He built a 25' X 30' addition, re-sided the home and gutted the interior. The variances are necessary in order to park his truck in the garage and to match the roof pitch to the house. Mr. Brant asked if it was possible to put the truck in the garage without the variances. Mr. Robinson said he would have to take the air out of the tires to do so. Mr. Brant asked Mrs. Scott if letters had been sent to the adjoining property owners. Mrs. Scott said yes and indicated we had not received any responses. Chair Holinga asked about the stipulations recommended by staff. Mr. Robinson agreed with both.

Motion by Chair Holinga to approve the variances requested by Michael Robinson relating to construction of a garage building with two stipulations. 1) Construction shall begin within 12 months. 2) A hard-surfaced driveway shall be installed upon completion of the garage. Seconded by Mr. Brant.

(1) Section 1137.08 (h) to exceed the maximum allowable garage height of 13'-0" by 1'-4" for a total of 14'-4".

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

(2) Section 1137.08 (h) to exceed the maximum allowable garage wall height of 8'-0" by 2'-0" for a total garage wall height of 10'-0".

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

7. Hear the appeal of Benjamin Oler, property owner, 3749 Meadow Lane (Parcel #040-002471) for a variance to Table 1135.10-I to encroach the rear building setback of 25' by 19' for a total rear yard setback of 6' for the construction of a garage building.

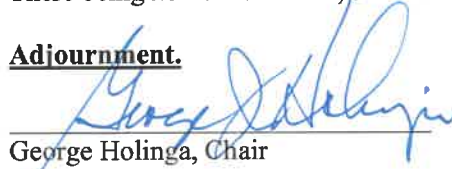
Mr. Oler explained his property backs up to the railroad tracks and Beulah Park. He has an easement on the property which precludes him from placing the building closer to the house. The garage is for personal use. He submitted letters of support with his application from neighbors on either side and across the street. Chair Holinga mentioned the two stipulations. Mr. Oler stated he will finish the garage this summer and can install the driveway next year because he is paying for the construction out-of-pocket.

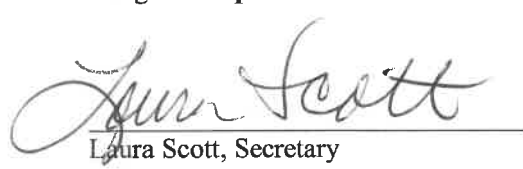
Motion by Chair Holinga to approve the variance request by Benjamin Oler, property owner at 3749 Meadow to Table 1135.10-I to encroach the rear building setback of 25' by 19' for a total rear yard setback of 6' for the construction of a garage building with two stipulations. 1) Construction shall begin within 12 months. 2) A hard-surfaced driveway shall be installed upon completion of the garage. Seconded by Mr. Brant.

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

There being no new business, the Chair adjourned the meeting at **6:15p.m.**

Adjournment.


George Holinga, Chair


Laura Scott, Secretary

